

SENATE JOURNAL

— 1982 —

FIRST AND SECOND SPECIAL SESSIONS
OF THE

FORTY-SEVENTH LEGISLATURE
STATE OF WASHINGTON

at

Olympia, the State Capitol

1982 FIRST SPECIAL SESSION

Convened March 12, 1982

Adjourned SINE DIE April 10, 1982

1982 SECOND SPECIAL SESSION

Convened June 26, 1982

Adjourned SINE DIE July 2, 1982

VOLUME 2

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Minute and Journal Clerk

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SAM C. GUESS, *President Pro Tempore*
GEORGE W. CLARKE, *Vice President Pro Tempore*

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Chairman JOHN D. JONES
Floor Leader/Vice President
Pro Tempore GEORGE CLARKE
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**JOURNAL OF THE SENATE
STATE OF WASHINGTON
--1982--
FIRST SPECIAL SESSION
OF THE
FORTY-SEVENTH LEGISLATURE**

FIRST DAY

NOON SESSION

Senate Chamber, Olympia, Friday, March 12, 1982.

The Senate was called to order at 12 noon by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators McCaslin, Peterson, Pullen and Talley. On motion of Senator Ridder, Senator Talley was excused. On motion of Senator Bluechel, Senator McCaslin was excused.

The Color Guard, consisting of Pages Melissa Hudson and Lisa Curry, presented the Colors. Reverend Frank Accardy, pastor of Emmanuel Baptist Church of Olympia, offered the prayer.

MESSAGE FROM THE GOVERNOR

PROCLAMATION BY THE GOVERNOR

The Washington State Legislature has all but concluded the 1982 Regular Session without resolving the major issues critical to our state. It is therefore necessary for me to convene the legislature in extraordinary session for the purpose of addressing only the following:

- The state budget
- State and local revenues
- Unemployment insurance
- New state correctional facilities
- The Washington Public Power Supply System
- Ferry-labor relations
- Bills in dispute

NOW, THEREFORE, I, John Spellman, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68), and Article III, Section 7 of the State Constitution, do hereby convene the Washington State Legislature in extraordinary (special) session for a period not to exceed ten days in the Capitol at Olympia at 12:00 noon on March 12, 1982.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to

be affixed at Olympia this 11th day of March, A.D. nineteen hundred and eighty-two.

JOHN SPELLMAN
Governor of Washington.

By the Governor:
RALPH MUNRO
Secretary of State.
(Seal of the State of Washington)

MOTIONS

On motion of Senator Clarke, the Senate advanced to the eighth order of business.

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

SENATE RESOLUTION 1982—203

By Senators Hayner, Jones, Bottiger and Fleming:

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

APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Guess, Sellar and Rasmussen as a committee of three under the provisions of Senate Resolution 1982—203 to notify the House the Senate is organized and ready to transact business.

MOTION

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

MOTION

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

SENATE RESOLUTION 1982—205

By Senators Hayner, Jones, Bottiger and Fleming:

BE IT RESOLVED, BY THE SENATE, That all requests for new legislation to be considered during the 1982 First Special Session be on the request list of the Code Reviser's Office by 5:00 p.m. on Monday, March 15, 1982, the fourth Legislative day; and

BE IT FURTHER RESOLVED, That Wednesday, March 17, 1982, the sixth Legislative day, under the proper order of business, shall be the final day for introduction of bills to be considered during the Special Session.

MOTION

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

SENATE RESOLUTION 1982—204

By Senators Hayner, Jones, Bottiger and Fleming:

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-seventh, 1982, regular session 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 effeciently during the forty-seventh, 1982, regular session of the legislature;

NOW, THEREFORE, BE IT RESOLVED, That said officers, committee chairmen and committee members of the said regular session shall constitute the officers and committees of the 1982 special session of the forty-seventh legislature.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 149, by Senators Hayner, Jones, Bottiger and Fleming:

Reintroduction and reprinting of measures.

MOTIONS

On motion of Senator Clarke, the rules were suspended, Senate Concurrent Resolution No. 149 was advanced to second reading and read the second time in full.

Senator Clarke moved the rules be suspended, Senate Concurrent Resolution No. 149 be advanced to third reading, the second reading considered the third, and the resolution be adopted.

POINT OF INQUIRY

Senator Hayner: "Senator Bottiger, there is some question about which bills are actually in dispute. Would you agree that they could be the 'dispute calendar,' the concurrent calendar, the conference committee bills and bills which have passed both houses and then have been referred to committee following a scope and object ruling?"

Senator Bottiger: "With the exception of the scope and object ruling I would agree. I hadn't thought about the scope and object. They would not be in 'dispute' as we had discussed it last night in preparing the resolution because they are back in committee and they wouldn't"

Senator Hayner: "That is why I think that I would like to ask you whether you have any objection to putting those at the highest level that they were when they left this body so that they would not go back to committee?"

Senator Bottiger: "I would think we would want to have a caucus on that. I have the printout of what I understood was in dispute and it did not include those bills and I think our interest would be what was in that bunch."

Senator Hayner: "I think there are some bills in there that you are very interested in as well."

Senator Bottiger: "Sure, it could cut both ways. It would be without the amendment that caused them to be referred?"

Senator Hayner: "That's right."

Senator Bottiger: "I think perhaps I would like to take that up in caucus, Senator Hayner. . . ."

Senator Hayner: "Mr. President, may we hold off on the final determination of that?"

POINT OF INQUIRY

Senator Wilson: "Mr. President, as a friendly suggestion to the majority leadership, I wonder if it would be possible to prepare a list of bills that are considered in dispute? For one thing, various individual members such as myself are extremely concerned that certain bills are considered to be in dispute and therefore still alive;

and secondly, it might save a wrangle later on as to whether a bill qualified under the resolution or not."

Senator Hayner: "It is our intention to do so, Senator Wilson. The problem is that the bill had not physically returned to this body because there was some question about the passage of the resolution last night that actually sent them back, and that is being taken care of this morning. As soon as they are over here we will make a list and indicate to you exactly what the differences are."

Senator Wilson: "And the list will be available to the caucuses before this resolution is acted on? Thank you, Senator Hayner."

REMARKS BY SENATOR HAYNER

Senator Hayner: "Mr. President, I might further add that you will see by the note at the end of the sheet that has just been handed to you that all the House measures are actually in rules in the House because they did not have the problem of the scope and object ruling and our rules happened to be different in this body, and I think they are proper but they don't have the same problem that we have with respect to that."

MOTION

On motion of Senator Clarke, Senate Concurrent Resolution No. 149 was ordered held on third reading.

COMMITTEE FROM THE HOUSE

A committee from the House of Representatives consisting of Representatives Barnes, Hine and Nickell appeared before the bar of the Senate to notify the Senate the House of Representatives was organized and ready to transact business.

The report was received and the committee retired to the House of Representatives.

REPORT OF SPECIAL COMMITTEE

The special committee consisting of Senators Guess, Sellar and Rasmussen appeared before the bar of the Senate. Under the provisions of Senate Resolution 1982—203, the House was notified that the Senate is organized and ready to transact business.

The report was received and the committee was discharged.

MOTION

On motion of Senator Clarke, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

March 12, 1982.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 49, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

FIRST READING OF HOUSE RESOLUTION

HOUSE CONCURRENT RESOLUTION NO. 49, by Representative Nelson (G.):

Notifying Governor that Legislature is organized.

MOTIONS

On motion of Senator Clarke, the rules were suspended, House Concurrent Resolution No. 49 was advanced to second reading and read the second time in full.

On motion of Senator Clarke, the rules were suspended, House Concurrent Resolution No. 49 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Lee, Craswell and Shinpoch as a committee of three to join with a like committee from the House of Representatives under the provisions of House Concurrent Resolution No. 49 to notify the Governor that the Legislature is organized.

MOTION

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

REPORT OF SPECIAL COMMITTEE

The special committee consisting of Senators Lee, Craswell and Shinpoch appeared before the bar of the Senate. Under the provisions of House Concurrent Resolution No. 49, the Governor was notified that the Legislature is organized and ready to transact business.

The report was received and the committee was discharged.

MOTION

At 12:50 p.m., on motion of Senator Clarke, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.

MOTION

At 2:02 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 2:25 p.m.

MOTION

On motion of Senator Clarke, the Senate advanced to the seventh order of business.

THIRD READING

SENATE CONCURRENT RESOLUTION NO. 149, by Senators Hayner, Jones, Bottiger and Fleming:

Reintroduction and reprinting of measures.

The resolution was read the third time in full.

The motion by Senator Clarke made earlier today carried and the resolution was adopted.

MOTION

On motion of Senator Clarke, the Senate advanced to the eighth order of business.

On motion of Senator Clarke, the Committee on Rules was relieved from further consideration of the following Senate bills: Engrossed Senate Bill No. 3242, Engrossed Senate Bill No. 3916, Senate Bill No. 4025, Substitute Senate Bill No. 4153, Substitute Senate Bill No. 4201, Engrossed Senate Bill No. 4492, Engrossed Substitute Senate Bill No. 4675, Senate Bill No. 4717, Engrossed Senate Bill No. 4733 and Engrossed Substitute Senate Bill No. 4963.

On motion of Senator Clarke, all Senate bills listed above were placed on the third reading calendar for consideration today.

MOTION

On motion of Senator Clarke, the Senate returned to the seventh order of business.

THIRD READING

ENGROSSED SENATE BILL NO. 3242, by Senators Craswell and Gaspard:
Making miscellaneous changes in law relating to education.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3242.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 3242 and the bill passed the Senate by the following vote: Yeas, 40; nays, 1; absent or not voting, 6; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, Moore, Newhouse, Patterson, Peterson, Quigg, Ridder, Scott, Shipoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—40.

Voting nay: Senator McDermott—1.

Absent or not voting: Senators Deccio, Hayner, Metcalf, Pullen, Rasmussen, Sellar—6.

Excused: Senators McCaslin, Talley—2.

ENGROSSED SENATE BILL NO. 3242, having received the 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 SENATE BILL NO. 3916, by Senators Quigg and Goltz:

Requiring modification of shoreline classification to reflect changed circumstances.

The bill was read the third time and placed on final passage.

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3916.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 3916 and the bill passed the Senate by the following vote: Yeas, 29; nays, 17; absent or not voting, 1; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Clarke, Conner, Craswell, Deccio, Fuller, Gallagher, Goltz, Gould, Guess, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, Metcalf, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Scott, Sellar, von Reichbauer, Woody, Zimmerman—29.

Voting nay: Senators Bottiger, Charnley, Fleming, Gaspard, Haley, Hughes, Hurley, Lysen, McDermott, Moore, Ridder, Shipoch, Talmadge, Vognild, Williams, Wilson, Wojahn—17.

Absent or not voting: Senator Pullen—1.

Excused: Senators McCaslin, Talley—2.

ENGROSSED SENATE BILL NO. 3916, having received the 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. 4025, by Senators Jones and Fleming:

Vacating Smiths Cove waterway.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Senate Bill No. 4025.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 4025 and the bill passed the Senate by the following vote: Yeas, 37; nays, 9; absent or not voting, 1; excused, 2.

Voting yea: Senators Bauer, Benitz, Bottiger, Clarke, Conner, Deccio, Fleming, Fuller, Gallagher, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Metcalf, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Ridder, Scott, Sellar, Talmadge, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—37.

Voting nay: Senators Bluechel, Charnley, Craswell, Gaspard, Lysen, McDermott, Moore, Shipoch, Vognild—9.

Absent or not voting: Senator Pullen—1.

Excused: Senators McCaslin, Talley—2.

SENATE BILL NO. 4025, having received the 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

SUBSTITUTE SENATE BILL NO. 4153, by Judiciary Committee (originally sponsored by Senator Pullen):

Permitting persons convicted of DWI or refusing a breathalyzer test to get an occupational driver's license.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 4153.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 4153 and the bill passed the Senate by the following vote: Yeas, 29; nays, 16; absent or not voting, 2; excused, 2.

Voting yea: Senators Bauer, Benitz, Charnley, Clarke, Conner, Craswell, Fleming, Fuller, Gaspard, Gould, Guess, Haley, Hansen, Hayner, Hughes, Hurley, Jones, Lee, Moore, Newhouse, Peterson, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, Williams, Woody—29.

Voting nay: Senators Bluechel, Deccio, Gallagher, Goltz, Hemstad, Kiskaddon, Lysen, McDermott, Metcalf, Patterson, Quigg, Rasmussen, von Reichbauer, Wilson, Wojahn, Zimmerman—16.

Absent or not voting: Senators Bottiger, Pullen—2.

Excused: Senators McCaslin, Talley—2.

SUBSTITUTE SENATE BILL NO. 4153, having received the 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 Clarke, the Senate returned to the fifth order of business.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 150, by Senators Hayner, Jones, Bottiger and Fleming:

Subjects to be considered during special session.

MOTIONS

On motion of Senator Clarke, the rules were suspended, Senate Concurrent Resolution No. 150 was advanced to second reading and read the second time in full.

On motion of Senator von Reichbauer, the following amendment was adopted:

On page 1, line 7, insert "SSB 4609 — Ferry labor legislation"

Senator Goltz moved adoption of the following amendment:

On page 1, line 7, add "Technical redistricting changes"

MOTION

On motion of Senator Clarke, Senate Concurrent Resolution No. 150, as amended, together with the pending amendment by Senator Goltz, was ordered held for consideration later today.

MOTION

On motion of Senator Bluechel, Senator Pullen was excused.

MOTION

On motion of Senator Clarke, the Senate returned to the seventh order of business.

THIRD READING

SUBSTITUTE SENATE BILL NO. 4201, by Committee on Financial Institutions and Insurance (originally sponsored by Senator Clarke):

Regulating valuation of insurance and nonforfeiture of life insurance.

The bill was read the third time and placed on final passage.

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 4201.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 4201, and the bill passed the Senate by the following vote: Yeas, 40; nays, 4; absent or not voting, 2; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, von Reichbauer, Williams, Wojahn, Woody, Zimmerman—40.

Voting nay: Senators Lysen, McDermott, Vognild, Wilson—4.

Absent or not voting: Senators Charnley, Gallagher—2.

Excused: Senators McCaslin, Pullen, Talley—3.

SUBSTITUTE SENATE BILL NO. 4201, having received the 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 SENATE BILL NO. 4492, by Senators Clarke, Newhouse, Wojahn and Zimmerman (by Judicial Council request):

Excluding all parking offenses from additional penalty assessments.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 4492.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4492, and the bill passed the Senate by the following vote: Yeas, 42; nays, 4; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Hansen, Hayner, Hemstad, Hughes, Jones, Kiskaddon, Lee, Lysen, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—42.

Voting nay: Senators Haley, Hurley, McDermott, Vognild—4.

Excused: Senators McCaslin, Pullen, Talley—3.

ENGROSSED SENATE BILL NO. 4492, having received the 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 Clarke, the Senate returned to the sixth order of business.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 150, by Senators Hayner, Jones, Bottiger and Fleming:

Subjects to be considered during special session.

The Senate resumed consideration of Senate Concurrent Resolution No. 150 as amended by Senator von Reichbauer earlier today and a pending amendment by Senator Goltz.

On motion of Senator Goltz, there being no objection, the amendment was withdrawn.

On motion of Senator Clarke, the rules were suspended, Engrossed Senate Concurrent Resolution No. 150 was placed on third reading, the second reading considered the third, and the resolution was placed on final passage.

POINT OF INQUIRY

Senator Bottiger: "Senator Hayner, within the resolution is the phrase on line 5, 'fiscal issues.' And it is of concern to us that that include, or I will ask it in the form of a question, does that include both bills that raise the fees as in House bills 975 and 976, or expend money as in Senator Bauer's education study bill? Are those bills alive under the phrase 'fiscal issues?'"

Senator Hayner: "Well, Senator Bottiger, as you know 'fiscal issues' is a term which could cover a lot of things and we interpret that to mean that it would be appropriation and revenue matters and those things affecting that. It is very difficult to define the exact words, but it would be our interpretation that that would include the bills to which you have referred."

The motion by Senator Clarke carried and Engrossed Senate Concurrent Resolution No. 150 was adopted.

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4675, by Committee on Education (originally sponsored by Senator Kiskaddon):

Implementing law relating to state apportionment for pupil transportation.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 4675.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 4675 and the bill passed the Senate by the following vote: Yeas, 42; nays, 3; absent or not voting, 1; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Lee, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wojahn, Woody, Zimmerman—42.

Voting nay: Senators Lysen, McDermott, Wilson—3.

Absent or not voting: Senator Kiskaddon—1.

Excused: Senators McCaslin, Pullen, Talley—3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4675, having received the 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 McDermott: "Senator Hayner, I look at this list of bills we are considering today and I am not quite sure how they were selected. I notice that 4661 is not on the list and I wondered if you could explain to us the reason for that."

Senator Hayner: "The bills which are on the list are all bills which we thought, in a sense, in looking on the amendments that were put on in the House and so forth, that they were consent bills as far as we were concerned, that they could go out of this body in the same form that they previously went out. And then if the House insists on putting our amendments on again, then we are in some kind of dispute."

"The bills that were held over were held because, for example, we were looking at the amendments the House had put on to see if we wanted to roll them back to second reading and put the House amendments on to simplify it, and as far as the bills to which you refer, Senator Quigg wanted to look at the bills to be sure that the amendment was what he intended for it to be."

THIRD READING

SENATE BILL NO. 4717, by Senators Lee, Shinpoch and Metcalf:

Giving free copies of state statutes and rules to legislative committees.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Senate Bill No. 4717.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 4717 and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Metcalf, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—43.

Voting nay: Senators Lysen, McDermott, Moore—3.

Excused: Senators McCaslin, Pullen, Talley—3.

SENATE BILL NO. 4717, having received the 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 Clarke, at the request of Senator Talmadge, Engrossed Senate Bill No. 4733 was ordered held for third reading on March 15, 1982.

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4963, by Committee on Transportation (originally sponsored by Senators von Reichbauer and Talley):

Authorizing an extended industrial development levy by port districts.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 4963.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 4963 and the bill passed the Senate by the following vote: Yeas, 31; nays, 13; absent or not voting, 2; excused, 3.

Voting yea: Senators Bauer, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, Moore, Newhouse, Patterson, Peterson, Quigg, Ridder, Scott, Sellar, von Reichbauer, Wojahn, Woody, Zimmerman—31.

Voting nay: Senators Bluechel, Charnley, Hughes, Hurley, Lysen, McDermott, Metcalf, Rasmussen, Shinpoch, Talmadge, Vognild, Williams, Wilson—13.

Absent or not voting: Senators Benitz, Deccio—2.

Excused: Senators McCaslin, Pullen, Talley—3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4963, having received the 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 3:17 p.m., on motion of Senator Clarke, the Senate adjourned until 10:00 a.m., Monday, March 15, 1982.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia, Monday, March 15, 1982.

The Senate was called to order at 10:00 a.m. by President Cherberg.

There being no objection, the Senate was declared to be at ease.

The President called the Senate to order at 10:42 a.m.

MOTION

On motion of Senator Clarke, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:00 p.m. The Secretary called the roll and announced to the President that all Senators were present except Senators Charnley, Hughes, Lysen, McDermott, Sellar and Talley. On motion of Senator Bluechel, Senator Sellar was excused. On motion of Senator Ridder, Senators Charnley, Hughes, Lysen, McDermott and Talley were excused.

The Color Guard, consisting of Pages Robyn Isaak and Leroy Slemmer, presented the Colors. Senator Sam Guess offered the prayer.

MOTION

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

MESSAGES FROM THE HOUSE

March 12, 1982.

Mr. President: The House has adopted: ENGROSSED SENATE CONCURRENT RESOLUTION NO. 150, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

March 12, 1982.

Mr. President: The House has adopted: SENATE CONCURRENT RESOLUTION NO. 149, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

March 11, 1982.

Mr. President: The Speaker has signed: HOUSE CONCURRENT RESOLUTION NO. 48, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

March 12, 1982.

Mr. President: The House has passed:
 REENGROSSED HOUSE BILL NO. 286,
 HOUSE BILL NO. 600,
 HOUSE BILL NO. 854,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 923,
 HOUSE BILL NO. 935,
 HOUSE BILL NO. 967,

HOUSE BILL NO. 1084, and the same are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

March 12, 1982.

Mr. President: The Speaker has signed: HOUSE CONCURRENT RESOLUTION NO. 49, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:

SENATE CONCURRENT RESOLUTION NO. 149,

SENATE CONCURRENT RESOLUTION NO. 150.

INTRODUCTION AND FIRST READING

SENATE JOINT MEMORIAL NO. 131, by Senators Lysen, Quigg and Williams:

Requesting modification of the Federal Price-Anderson Nuclear Liability Act.
Referred to Committee on Energy and Utilities.

REENGROSSED HOUSE BILL NO. 286, by Representatives Teutsch, Brekke, Mitchell, Valle, Williams, Wang, King (j), Tilly, Rinehart, Thompson, Sommers, McDonald, Stratton, Pruitt, Nisbet, Chamberlain, Winsley, Sanders, Ehlers, Sherman, Patrick, Lux, Isaacson, Eng, Greengo, Gruger, Tupper, Garrett, Wilson, Maxie, Erickson, Eberle, Heck, Granlund, Kreidler, Hine, Burns and Rust:

Continuing the displaced homemakers program.

Referred Committee on Rules.

HOUSE BILL NO. 600, by Committee on Ethics, Laws and Justice and Representatives Ellis, Patrick, Schmidt, Becker, Tilly, Winsley, Bickham, Pruitt and Granlund:

Making various changes in criminal laws.

Referred to Committee on Rules.

HOUSE BILL NO. 854, by Committee on Transportation and Representative Wilson (by Department of Transportation request):

Permitting motor fuel distributors to omit gas tax from the selling price.

Referred to Committee on Rules.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 923, by Committee on State Government (originally sponsored by Representatives Addison, Fiske, Salatino, Garson, Walk, Johnson, Nelson (D), Nickell, Kaiser, Hankins, Nelson (G.A.), Greengo, Nisbet, Barr, Teutsch, Ellis, Sanders, Houchen, Hastings, Chandler, Bickham, McDonald, Mitchell, Tilly, Amen, Barnes, Barrett, Stratton, Hine and O'Brien) (by Governor Spellman request):

Creating a state center for voluntary action.

Referred to Committee on Rules.

HOUSE BILL NO. 935, by Committee on Financial Institutions and Insurance and Representative Dawson (by Department of General Administration request):

Revising fees for bank examinations.

Referred to Committee on Rules.

HOUSE BILL NO. 967, by Committee on Institutions and Representatives Houchen, Owen, Struthers and Clayton (by Department of Corrections request):

Providing additional conditions for prisoners' leave of absence.

Referred to Committee on Rules.

HOUSE BILL NO. 1084, by Committee on Education and Representative Taylor (by State Board of Education request):

Clarifying law relating to terms and qualifications of state board of education members.

Referred to Committee on Rules.

MOTIONS

On motion of Senator Clarke, the Senate advanced to the eighth order of business.

On motion of Senator Clarke, the Committee on Rules was relieved from further consideration of the following Senate Bills: Engrossed Senate Bill No. 4748, Senate Bill No. 3394, Substitute Senate Bill No. 3946 and Engrossed Senate Bill No. 4661.

Senator Clarke moved that the rules be suspended and Engrossed Senate Bill No. 4748, Senate Bill No. 3394, Substitute Senate Bill No. 3946 and Engrossed Senate Bill No. 4661 be placed on the third reading calendar for today.

Debate ensued.

The motion by Senator Clarke carried.

MOTIONS

On motion of Senator Clarke, Engrossed Senate Bill No. 4661 was made a special order of business for 10:30 a.m., March 16, 1982.

On motion of Senator Clarke, Engrossed Substitute Senate Bill No. 4773 was held for consideration on March 16, 1982.

On motion of Senator Clarke, the Senate returned to the seventh order of business.

On motion of Senator Clarke, the Senate commenced consideration of Engrossed Senate Bill No. 4748.

THIRD READING

ENGROSSED SENATE BILL NO. 4748, by Senators Benitz, Charnley and Newhouse:

Permitting breweries and wineries to conduct courses in beer and wine.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 4748.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4748, and the bill passed the Senate by the following vote: Yeas, 37; nays, 6; excused, 6.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, McCaslin, Moore, Newhouse, Patterson, Peterson, Quigg, Ridder, Scott, Shinpoch, Talmadge, Vogniid, von Reichbauer, Williams, Wojahn, Woody—37.

Voting nay: Senators Goltz, Metcalf, Pullen, Rasmussen, Wilson, Zimmerman—6.

Excused: Senators Charnley, Hughes, Lysen, McDermott, Sellar, Talley—6.

ENGROSSED SENATE BILL NO. 4748, having received the 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 CONCURRENT RESOLUTION NO. 48,
HOUSE CONCURRENT RESOLUTION NO. 49.

THIRD READING

SUBSTITUTE SENATE BILL NO. 3946, by Committee on Transportation
(originally sponsored by Senator Talley):

Modifying aircraft fuel excise tax.

MOTIONS

On motion of Senator Clarke, the rules were suspended, Substitute Senate Bill No. 3946 was returned to second reading.

Senator Patterson moved adoption of the following amendment by Senators Patterson and Hansen:

On page 2, line 35, after "PROVIDED" insert:

"HOWEVER, That such aircraft fuel excise tax shall not apply to fuel for aircraft that both operate from a private, non-state-funded airfield during at least ninety-five percent of the aircraft's normal use and are used principally for the application of pesticides, herbicides, or other agricultural chemicals: PROVIDED FURTHER,"

POINT OF INQUIRY

Senator Wilson: "Senator Patterson, I guess what we are doing is putting this bill in the same shape that the House amendments put it into, and minus the Boeing, so-called Boeing amendment, is that correct?"

Senator Patterson: "That is correct."

Senator Wilson: "Thank you, Senator."

Senator Patterson: "I might just add that this has been agreed upon with the House, and the Boeing amendments are not included except for the last one which we can address later."

The motion by Senator Patterson carried and the amendment was adopted.

On motion of Senator Patterson, the following amendment by Senators Patterson and Hansen was adopted:

On page 3, line 27, after "June 30," strike "1981" and insert "1982".

Senator Patterson moved adoption of the following amendment by Senators Patterson and Hansen:

On page 4, line 6, after "aircraft" insert "in Washington State and who are certified air carriers"

POINT OF INQUIRY

Senator Bottiger: "Senator Patterson, I am reading the bill in the book itself, and the current law says, 'In the operation of aircraft, when such operation is for the training of crews for purchasers of such aircraft.' Your language is restricting that down to say that the training must occur 'in the state of Washington and the purchaser must be a certified carrier.' Is that correct?"

Senator Patterson: "I presume so. This was the amendment that was agreed upon by those in the House that worked on the bill, as well as the Boeing people."

The motion by Senator Patterson carried and the amendment was adopted.

On motion of Senator Patterson, the rules were suspended, Engrossed Substitute Senate Bill No. 3946 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 Senate Bill No. 3946, and the bill passed the Senate by the following vote: Yeas, 32; nays, 11; absent or not voting, 1; excused, 5.

Voting yea: Senators Bauer, Benitz, Bottiger, Clarke, Conner, Fuller, Gallagher, Gaspard, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, Moore, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Ridder, Scott, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn—32.

Voting nay: Senators Bluechel, Craswell, Fleming, Goltz, McCaslin, McDermott, Metcalf, Pullen, Shinpoch, Woody, Zimmerman—11.

Absent or not voting: Senator Deccio—1.

Excused: Senators Charnley, Hughes, Lysen, Sellar, Talley—5.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3946, having received the 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. 3394, by Senators Goltz, Bottiger and Quigg:
Increasing the business and occupation tax credit for cogeneration facilities.

MOTIONS

On motion of Senator Gould, the rules were suspended, Senate Bill No. 3394 was returned to second reading.

Senator Gould moved adoption of the following amendment by Senators Gould and Goltz:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 5, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.050 are each amended to read as follows:

When a cogeneration facility is operational and a certificate pertaining thereto has been issued, a credit may be claimed against taxes imposed under chapter 82.04 RCW, if the due date for payment of the taxes is after the effective date of the certificate: PROVIDED, That the date on which the facility is operational is no more than four years after the date of issuance of the certificate. The amount of the credit shall be ~~((two))~~ ten percent of the cost of a facility covered by the certificate for each year the certificate remains in force. The credits shall be cumulative and shall be subject only to the following limitations:

(1) The tax credit shall apply to capital costs only and shall not apply to operating costs.

(2) A person, firm, corporation, or organization which acquires a cogeneration facility shall be entitled to the credit only to the extent that it has previously not been taken. Under no circumstances may a credit be taken more than once against any cost or portion thereof of a cogeneration facility.

(3) No credit exceeding fifty percent of the taxes payable under chapter 82.04 RCW shall be allowed in any reporting period.

(4) The total cumulative amount of the credits allowed for any cogeneration facility covered by a certificate shall not exceed fifty percent of the cost of the cogeneration facility less the total amount of federal investment credit or other federal tax credits applicable to the cogeneration facility.

(5) ~~((The total cumulative amount of credits against state taxes authorized by this chapter shall be reduced by the total amount of any federal investment credit or other federal tax credit actually received by the certificate holder applicable to the cogeneration facility. This reduction shall be made as an offset against the credit claimed in the first reporting period following the allowance of the investment credit;~~

~~or other credit, and thereafter as an offset against any credit balance as it shall become available to the certificate holder)) State credits shall not become available until one year after final cost verification by the department.~~

Sec. 2. Section 3, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.030 are each amended to read as follows:

(1) An application for a certificate shall be filed with the department. The application shall contain the estimated or actual cost, plans, and specifications of the cogeneration facility, including all materials incorporated or to be incorporated therein, and a list describing and showing all expenditures made by the applicant for the purpose of cogeneration, together with the operating procedure for the facility, and if the facility has not been constructed, a time schedule for the acquisition and installation or attachment of the cogeneration facility and the proposed operating procedure for the cogeneration facility.

(2) The department shall provide a copy of the application to the energy office within ten days after receipt thereof. Within sixty days after receipt of the application from the department, the office shall approve the application but only if it first determines that construction of the cogeneration facility began or will begin after September 1, ((1979)) 1975, that the cogeneration facility is designed and is operated or will be operated primarily for cogeneration, and that the cogeneration facility is suitable, reasonably adequate, and meets the intent and purposes of this chapter.

(3) Within ten days after approval of the application, the office shall provide a copy thereof to the department. Within thirty days after receipt thereof the department shall issue the certificate but only if it finds that the cost data in the application is accurate.

If the application contains estimated cost data, the certificate shall be conditioned upon the applicant providing sufficient information for the department to determine the actual cost of the cogeneration facility on the date it becomes operational. Within sixty days after the cogeneration facility is operational the department shall review the certificate. If the actual cost of the cogeneration facility is less than the cost shown in the certificate, the department shall issue a modified certificate or a supplement to the original certificate, showing the actual cost of the cogeneration facility.

(4) The department, with the approval of the office, may adopt rules specifying the administrative procedures applicable to applications for certification, the form and manner in which the applications shall be filed and additional information to be contained therein. The rules shall apply to administrative procedures before both the office and the department. An applicant shall have the opportunity for a hearing before the office and the department in respect to their respective decisions granting or denying approval or certification.

This section shall expire on December 31, 1984.

Sec. 3. Section 4, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.040 are each amended to read as follows:

(1) No certificate or supplement may be issued after December 31, 1984. No certificate including a supplement thereto may be issued for cogeneration facility costs in excess of ten million dollars for any application submitted under this chapter.

(2) The department shall keep a running tabulation of the total cogeneration facility costs incurred or planned to be incurred pursuant to certificates or supplements issued under this chapter. The department may not issue any new certificate or any supplement if the certificate or supplement would result in the tabulation exceeding one hundred million dollars. Nothing in this section shall be deemed to bar any certificate holder from amending the certificate or obtaining a supplement thereto so long as the amendment or supplement is issued prior to December 1,

1984, and does not increase the total amount of cogeneration facility costs incurred or planned to be incurred under the original certificate.

(3) The department may adopt any rules under chapter 34.04 RCW it considers necessary for the administration of this chapter.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On motion of Senator Goltz, the following amendment to the amendment by Senators Gould and Goltz was adopted:

On page 2, line 38, after "department" and before the period insert "and until the credits provided for in subsection 4 of this section are exhausted"

On motion of Senator Goltz, the following amendment to the amendment by Senators Gould and Goltz was adopted:

On page 3, line 34, after "~~((1979))~~", strike "1975" and insert "1978"

The motion by Senator Gould carried and the amendment, as amended, was adopted.

On motion of Senator Gould, the following amendment by Senators Gould and Goltz to the title was adopted:

On page 1, line 1 of the title, after "facilities;" strike the remainder of the title and insert "amending section 5, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.050; amending section 3, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.030; amending section 4, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.040; providing an expiration date; and declaring an emergency."

On motion of Senator Gould, the rules were suspended, Engrossed Senate Bill No. 3394 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. 3394, and the bill passed the Senate by the following vote: Yeas, 39; nays, 5; absent or not voting, 1; excused, 4.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Ridder, Scott, Talmadge, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—39.

Voting nay: Senators Charnley, Hurley, Pullen, Shinpoch, Vognild—5.

Absent or not voting: Senator Deccio—1.

Excused: Senators Hughes, Lysen, Sellar, Talley—4.

ENGROSSED SENATE BILL NO. 3394, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 1:45 p.m., on motion of Senator Clarke, the Senate adjourned until 10:00 a.m., Tuesday, March 16, 1982.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia, Tuesday, March 16, 1982.

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 Rasmussen, Sellar and Talley. On motion of Senator Ridder, Senator Talley was excused.

The Color Guard, consisting of Pages Geof Brown and Lorelee Parker, presented the Colors. Reverend Stanley Workman, pastor of Evergreen Christian Reformed Church of Olympia, offered the prayer.

MOTION

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

MOTION

At 10:08 a.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 11:16 a.m.

MESSAGE FROM THE HOUSE

March 15, 1982.

Mr. President: The House has passed:
 SUBSTITUTE HOUSE BILL NO. 1,
 HOUSE BILL NO. 765,
 ENGROSSED HOUSE BILL NO. 795,
 HOUSE BILL NO. 796,
 SUBSTITUTE HOUSE BILL NO. 840,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 857,
 SUBSTITUTE HOUSE BILL NO. 869,
 REENGROSSED HOUSE BILL NO. 885,
 SECOND SUBSTITUTE HOUSE BILL NO. 906,
 REENGROSSED SUBSTITUTE HOUSE BILL NO. 926, and the same are
 herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 4992, by Senators Hayner and Scott:

AN ACT Relating to the tax advisory council; amending section 43.38.010, chapter 8, Laws of 1965 as amended by section 113, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.38.010; amending section 43.38.020, chapter 8, Laws of 1965 and RCW 43.38.020; and repealing section 43.38.050, chapter 8, Laws of 1965 and RCW 43.38.050.

Referred to Committee on Ways and Means.

SUBSTITUTE HOUSE BILL NO. 1, by Committee on Revenue (originally sponsored by Representatives Rosbach, Owen, Wilson, Fiske and Mitchell):

Authorizing current use valuation for smaller areas of forest land.

Referred to Committee on Ways and Means.

HOUSE BILL NO. 765, by Committee on Revenue and Representative Greengo (by Department of Revenue request):

Modifying the excise tax registration fee.

Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 795, by Committee on Labor and Economic Development and Representative Sanders (by Department of Labor and Industries request):

Establishing user fees to allow the department of labor and industries to defray the cost of administering the prevailing wage law and the minor work permit law.

Referred to Committee on Commerce and Labor.

HOUSE BILL NO. 796, by Committee on Labor and Economic Development and Representatives Sanders and Tilly (by Department of Labor and Industries request):

Revising laws on review of apprenticeship programs.

Referred to Committee on Commerce and Labor.

SUBSTITUTE HOUSE BILL NO. 840, by Committee on Revenue (originally sponsored by Representatives Struthers, Chamberlain, Hastings and Hankins):

Increasing the sales tax exemption permit fee.

Referred to Committee on Ways and Means.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 857, by Committee on State Government (originally sponsored by Representatives Vander Stoep, Fiske, Chamberlain, Addison, Johnson, Tupper, Garson, Berleen, Nickell, Nelson (G), Rosbach, Hastings, James, Williams, Taylor, Winsley and Barr):

Permitting audits by private accounting firms.

Referred to Committee on State Government.

SUBSTITUTE HOUSE BILL NO. 869, by Committee on Education (originally sponsored by Representative Dawson):

Authorizing school districts to issue bonds for purchase of pupil transportation vehicles.

Referred to Committee on Education.

REENGROSSED HOUSE BILL NO. 885, by Representatives Patrick, O'Brien, Wilson, Burns, Prince, Grimm, Winsley, Bender, Tupper, Lux, Van Dyken, Valle, Mitchell, Nelson (D), Leonard, Kreidler, Houchen, Eng, Ellis and Wang:

Modifying cigarette taxes.

Referred to Committee on Ways and Means.

SECOND SUBSTITUTE HOUSE BILL NO. 906, by Committee on Ways and Means (originally sponsored by Representatives Chamberlain, Owen, Sanders, Greengo, Brown, Garson, Erak, Williams, Lundquist, Nickell, Barr, Martinis, McCormick, Barnes, Eberle, Thompson, Barrett, Chandler, Wilson, Monohon, Nisbet, Vander Stoep, Struthers, Nelson (G), Hankins, Galloway, King (J), Winsley, Heck, Ellis, Wang and Armstrong) (by Governor Spellman request):

Creating the community economic revitalization board.

Referred to Committee on Ways and Means.

REENGROSSED SUBSTITUTE HOUSE BILL NO. 926, by Committee on State Government (originally sponsored by Representatives Isaacson, Struthers, Hastings, Dickie, James and Houchen):

Modifying procedures of the human rights commission.

Referred to Committee on State Government.

MOTION

On motion of Senator Clarke, Engrossed Senate Bill No. 4661 will be a special order of business for 7:00 p.m. tonight.

MESSAGE FROM THE HOUSE

March 15, 1982.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 3242 with the following amendments originally adopted March 9, 1982:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 28A.59.150, chapter 223, Laws of 1969 ex. sess. as last amended by section 118, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.59.150 are each amended to read as follows:

All accounts shall be (~~audited by a committee of board members chosen in such manner as the board so determines to be styled the "auditing committee," and; except as otherwise provided by law, no expenditure greater than three hundred dollars shall be voted by the board except in accordance with a written contract, nor shall any money or appropriation be paid out of the school fund except on~~) reviewed by the board and the board shall indicate its approval by a recorded affirmative vote of a majority of all members of the board(~~(-PROVIDED, That nothing herein shall be construed to prevent the board from making any repairs or improvements to the property of the district through their shop and repair department as otherwise provided in RCW 28A.58.135; and the accounts and the records of said board shall at all times be subject to the inspection and examination of the educational service district superintendent, whose duty it shall be, annually, to examine said records and check said accounts, and report in writing to the proper board of county commissioners the nature and state of said accounts, and any facts that may be required concerning said records)). If the board disapproves some items, the superintendent shall not allow payment of the disapproved items or, if already paid, the superintendent shall cause the disapproved items to be treated as district receivables until the amounts disapproved are collected or until the board is satisfied and approves the items.~~

Sec. 2. Section 1, chapter 111, Laws of 1973 as amended by section 21, chapter 43, Laws of 1975 and RCW 28A.60.328 are each amended to read as follows:

Second class school districts, subject to the approval of the superintendent of public instruction, may draw and issue warrants for the payment of moneys (~~(upon approval of a majority of the board of directors, such warrants to be signed by the chairman of the board and countersigned by the secretary; PROVIDED, That when, in the judgment of the board of directors, the orders for warrants issued by the district monthly shall have reached such numbers that the signing of each warrant by the chairman of the board personally imposes too great a task on the chairman, the board of directors, after auditing all payrolls and bills, may authorize the issuing of one general certificate to the county treasurer, to be signed by the chairman of the board, authorizing said treasurer to pay all the warrants specified by date, number, name and amount, and the funds on which said warrants shall be drawn; thereupon the secretary of said board shall be authorized to draw and sign said orders for warrants)) using the same procedures as those required of first class districts in RCW 28A.59.110 and 28A.59.150.~~

~~((Accounts and the records of second class school districts drawing and issuing warrants as provided in this section shall at all times be subject to the inspection and examination of the educational service district superintendent, whose duty it shall be, annually, to examine said records and check said accounts, and report in writing to the proper board of county commissioners the nature and state of said accounts, and any facts that may be required concerning said records.))~~

Sec. 3. Section 16, chapter 176, Laws of 1969 ex. sess. as last amended by section 32, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.21.160 are each amended to read as follows:

All funds under the control of the office of each educational service district shall be combined into the educational service district general expense fund and deposited in the office of the county treasurer of the county in which the educational service district headquarters office is located: PROVIDED, That funds under the control of an educational service district may be placed in one or more special purpose funds in the office of the county treasurer as now or hereafter authorized by rule or regulation of the superintendent of public instruction. The superintendent of public instruction, by rule or regulation, shall establish the standards, conditions and procedures governing the establishment and use of general expense and special purpose funds by educational service districts, including transfers from one fund to another, and shall provide by an established formula for the proper distribution of moneys received from the county current expense fund, the county institute fund, and the county circulating library fund in those counties which are a part of two or more educational service districts. In case the boundaries of any of the educational service districts are changed, the superintendent of public instruction shall order an equitable transfer of such funds from one educational service district to another which the superintendent of public instruction deems necessary to adjust for the increase and decrease in the operating costs of the respective districts for the balance of the fiscal year and shall certify to the county ~~((commissioners))~~ legislative authority of the affected counties a new ratio for the appropriation of funds to the general expense funds of two or more educational service districts under RCW 28A.21.180, as now or hereafter amended.

Sec. 4. Section 28A.57.255, chapter 223, Laws of 1969 ex. sess. as last amended by section 97, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.255 are each amended to read as follows:

The registered voters residing within a joint school district shall be entitled to vote on the office of school director of their district ~~((and on the office of their educational service district board member))~~.

Jurisdiction of any such election shall rest with the county auditor of the county administering such joint district as provided in RCW 28A.57.250.

At each general election, or upon approval of a request for a special election as provided for in RCW 29.13.020, such county auditor shall:

- (1) See that there shall be at least one polling place in each county;
- (2) At least twenty days prior to the elections concerned, certify in writing to the superintendent of the school district the number and location of the polling places established by such auditor for such regular or special elections; and
- (3) Do all things otherwise required by law for the conduct of such election.

It is the intention of this section that the qualified electors of a joint school district shall not be forced to go to a different polling place on the same day when other elections are being held to vote for school directors of their district ~~((and members of the educational service district board concerned with their school district))~~.

Sec. 5. Section 28A.51.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 170, Laws of 1980 and RCW 28A.51.010 are each amended to read as follows:

The board of directors of any school district may borrow money and issue negotiable coupon bonds therefor for the purpose of:

- (1) Funding outstanding indebtedness or bonds theretofore issued; or
- (2) For the purchase of sites for all buildings, playgrounds, physical education and athletic facilities and structures authorized by law or necessary or proper to carry out the functions of a school district; or
- (3) For erecting all buildings authorized by law, including but not limited to those mentioned in subparagraph (2) immediately above or necessary or proper to carry out the functions of a school district, and providing the necessary furniture, apparatus, or equipment therefor; or
- (4) For improving the energy efficiency of school district buildings and/or installing systems and components to utilize renewable and/or inexhaustible energy resources; or
- (5) For major and minor structural changes and structural additions to buildings, structures, facilities and sites necessary or proper to carrying out the functions of the school district; or
- (6) After September 1, 1982, for the purchase of additional pupil transportation vehicles that are not for the replacement of vehicles that are in the current district fleet or retired from service by the school district; or
- (7) For any or all of these purposes.

Neither the amount of money borrowed nor bonds issued therefor shall exceed the limitation of indebtedness prescribed by chapter 39.36 RCW, as now or hereafter amended.

Bonds may be issued only when authorized by the vote of the qualified electors of the district as provided by law.

The bonds so issued shall be in such form, for such terms, bear such interest, be sold in such manner, and be payable and redeemable, as the board of directors shall determine in accordance with this chapter and chapter 39.44 RCW:

PROVIDED, That the term of bonds issued for pupil transportation vehicles shall not exceed ten years and the county treasurer shall place the money specified by the school district board of directors as having been derived from a bond sale for such purpose to the credit of the transportation vehicle fund of the district.

NEW SECTION. Sec. 6. 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 intent of this section is to enhance the effectiveness of educational service districts by establishing a pilot program which will permit selected school districts in conjunction with their educational service district to operate on a flexible school year basis.

In addition to determining whether or not a flexible school year aids educational service districts in the accomplishment of their goals it shall be the objective of this pilot program to determine if cost savings, constant or improved achievement, and positive support from students, staff, parents, and the community will result from adopting a school year based on a four-day work week.

Notwithstanding the requirement of a school term of at least one hundred eighty days in RCW 28A.58.180, 28A.01.025, 28A.41.130, 28A.41.170, 28A.58.075, 28A.58.754 or 28A.59.180, or in other provision of law, any school district chosen to participate in the flexible school year pilot program pursuant to this section shall be required to maintain a minimum school term of at least a total number of hours equal to the minimum program hour offering required for each grade level under RCW 28A.58.754. Funding shall not be reduced to any school district due to participation in this program.

Any school district may apply to the superintendent of public instruction for participation in the flexible school year project through its educational service district. At least one public hearing must be held by the school district prior to application. Application must be submitted no later than May 1 of each year prior to the 1982-83 and 1983-84 school year on forms provided by the superintendent of public instruction to educational service districts and shall include an assurance by the school district that the following conditions will be met:

- (1) The school will work closely with its educational service district to insure the maximum benefit of the program is obtained by this schedule change;
- (2) The school year will be based on a four-day week;
- (3) Participation will be for a minimum of one complete school year;
- (4) Participation for two school years, although not required, will be a goal of the district;
- (5) Additional fiscal data as required by the superintendent of public instruction or educational service district will be reported;
- (6) A district survey of students, parents, staff, and the community will be conducted and reported as required by the superintendent of public instruction or educational service district.

The superintendent of public instruction shall:

- (a) Prepare and distribute project applications to educational service districts;
- (b) Select up to ten school districts that have an educational service district that apply for the project; every effort shall be made to select a cross-section of districts based on enrollment, geographical size, historic use of educational service districts and location;
- (c) Collect such fiscal information necessary to evaluate the cost impact of a flexible school year;
- (d) Prepare, distribute to districts, and collect the results of a survey of students, district staff, parents, and the community at the end of each school year;
- (e) Submit a project report which shall include an analysis of the impact on educational service districts to the education and ways and means committees of the house of representatives and senate by October 1, 1983, and October 1, 1984.

The superintendent of public instruction and the state board of education may adopt new or amended rules as necessary to carry out this pilot project.

NEW SECTION. Sec. 7. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW a new section to read as follows:

In addition to the procedure provided in RCW 28A.57.415 for returning to the system of school directors running at large, upon receipt of written notice from any school district superintendent of a school district theretofore divided into directors' districts, that such school district board of directors by majority vote requests a return to the system of directors running at large within the district, an educational service district superintendent, after formation of the question to be submitted to the voters, shall give notice thereof to the county auditor who shall call and hold a special election of the voters of the entire school district to approve or reject such proposal, such election to be called, conducted and the returns canvassed as in regular school district elections.

If approval of a majority of those registered voters voting in the election is acquired, at the expiration of terms of the incumbent directors of such school district their successors shall be elected at large.

Nothing in this section is applicable to any school district either (1) of the first class having within its boundaries a city with a population of four hundred thousand people or more in class AA counties, or (2) formed through the consolidation of two or more pre-existing school districts.

Sec. 8. Section 9, chapter 15, Laws of 1975-'76 2nd ex. sess. and RCW 28A-.57.415 are each amended to read as follows:

In addition to the procedure provided in section 7 of this amendatory act for returning to the system of school directors running at large, upon receipt of a written petition ((by an educational service district superintendent)) signed by at least twenty percent of the registered voters of a school district theretofore divided into directors' districts ((after a majority vote thereon in accordance with RCW 28A.57.050(4), as now or hereafter amended)), which petition shall request a return to the system of directors running at large within the district, ((the)) an educational service district superintendent, after formation of the question to be submitted to the voters, shall give notice thereof to the county auditor who shall call and hold a special election of the voters of the entire school district to approve or reject such proposal, such election to be called, conducted and the returns canvassed as in regular school district elections.

If approval of a majority of those registered voters voting in said election is acquired, at the expiration of terms of the incumbent directors of such school district their successors shall be elected at large.

Nothing in this section is applicable to any school district either (1) of the first class having within its boundaries a city with a population of four hundred thousand people or more in class AA counties, or (2) formed through the consolidation of two or more pre-existing school districts.

Sec. 9. Section 28A.57.344, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 183, Laws of 1979 ex. sess. and RCW 28A.57.344 are each amended to read as follows:

The board of directors of every school district other than a school district of the first class having within its boundaries a city with a population of four hundred thousand people or more in class AA counties which is not divided into directors' districts may submit to the voters at any regular school district election a proposition to authorize the county committee to divide the district into directors' districts. Alternatively, upon receipt of a written petition signed by at least twenty percent of the registered voters in a school district, other than a school district either (1) of the first class having within its boundaries a city with a population of four hundred thousand people or more in class AA counties or (2) formed through the consolidation of two or more pre-existing school districts, which petition requests the district to be divided into directors' districts, an educational service district superintendent shall give notice thereof to the county auditor who shall submit the proposal to voters at the next regular school district election. If a majority of the votes cast on the proposition shall be affirmative, the county committee shall proceed to divide the district into directors' districts. ((Such director districts, if approved, shall not become effective until the next regular school election when a new five member board of directors shall be elected, one from each of five director districts from among the residents of the respective director district by the electors of the entire district, two for a term of two years and three for a term of four years, unless such district elects its directors for six years, in which case, one for a term of two years, two for a term of four years, and two for a term of six years.))

After the division, the chairman of the school district board of directors shall designate an existing school board member to represent each of the director districts. Any director district having only one existing school board member residing within its boundaries shall be represented by that member. Any director district with more than one member residing within its boundaries shall be represented by the member whose term expires last. If there are two or more members whose terms will expire simultaneously and later than any other member or members residing within the director district, the chairman of the school district board of directors shall determine which member shall represent the director district. At the expiration of the term of each school board member, the electors of the director district represented

by the member shall select a resident to represent the director district on the school board.

Sec. 10. Section 28A.59.110, chapter 223, Laws of 1969 ex. sess. and RCW 28A.59.110 are each amended to read as follows:

Moneys of such school districts shall be paid out only upon ~~((orders for))~~ warrants signed by the ~~((president, or a majority of the board of directors and countersigned by the secretary. PROVIDED, That when, in the judgment of the board of directors, the orders for warrants issued by the district monthly shall have reached such numbers that the signing of each warrant by the president personally imposes too great a task on the president, the board of directors, after auditing all payrolls and bills as provided by RCW 28A.59.150, may authorize the issuing of one general certificate to the county treasurer, to be signed by the president, authorizing said treasurer to pay all the warrants specified by date, number, name and amount, and the funds on which said warrants shall be drawn, thereupon the secretary of said board shall be authorized to draw and sign said orders for warrants))~~ superintendent and certified by the auditing officer of the district as provided in chapter 42.24 RCW.

The board of directors may require the superintendent to furnish an official bond for the faithful discharge of his duties in an amount fixed by the board of directors with good and sufficient surety, and to cause the premium for such bond to be paid by the district. The school district board of directors shall adopt contracting, hiring, purchasing, and disbursing policies that implement effective internal controls.

Sec. 11. Section 28A.66.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 27, chapter 43, Laws of 1975 and RCW 28A.66.010 are each amended to read as follows:

~~((The county auditor shall register in his own office, and present to the treasurer for registration in the office of the county treasurer;))~~ Before issuing warrants, the district superintendent shall deliver to the county treasurer a register of all warrants of first class districts, and all warrants of second class districts electing to draw and issue their own warrants under RCW 28A.60.328, as now or hereafter amended(, received from school district superintendents or district secretaries before delivery of the same to claimants)).

Sec. 12. Section 28A.66.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.66.030 are each amended to read as follows:

The county auditors of the several counties of this state shall audit all accounts of the ~~((several))~~ school districts of their respective counties~~(;)~~ for which the county auditors issue warrants in the same manner as other accounts are audited with the other departments of the county.

Sec. 13. Section 36.22.090, chapter 4, Laws of 1963 as last amended by section 31, chapter 43, Laws of 1975 and RCW 36.22.090 are each amended to read as follows:

All warrants for the payment of claims against diking, ditch, drainage and irrigation districts and school districts of the second class, who do not issue their own warrants, as well as political subdivisions within the county for which no other provision is made by law, shall be drawn and issued by the county auditor of the county wherein such subdivision is located upon vouchers properly ~~((approved by the governing body))~~ certified by the auditing officer thereof.

NEW SECTION. Sec. 14. The following acts or parts thereof are each hereby repealed:

(1) Section 28A.66.050, chapter 223, Laws of 1969 ex. sess., section 45, chapter 48, Laws of 1971, section 1, chapter 72, Laws of 1973 and RCW 28A.66.050;

(2) Section 28A.66.060, chapter 223, Laws of 1969 ex. sess., section 46, chapter 48, Laws of 1971, section 129, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.66.060;

(3) Section 28A.66.080, chapter 223, Laws of 1969 ex. sess., section 30, chapter 43, Laws of 1975 and RCW 28A.66.080;

(4) Section 28A.66.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.66.090; and

(5) Section 28A.66.100, chapter 223, Laws of 1969 ex. sess., section 47, chapter 48, Laws of 1971, section 130, chapter 275, Laws of 1975 1st ex. sess., section 32, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.66.100.

NEW SECTION. Sec. 15. If any provision of this 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."

On page 1, line 12 of the title, after "28A.57.255;" strike the remainder of the title and insert "amending section 28A.51.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 170, Laws of 1980 and RCW 28A.51.010; amending section 28A.59.110, chapter 223, Laws of 1969 ex. sess. and RCW 28A.59.110; amending section 28A.66.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 27, chapter 43, Laws of 1975 and RCW 28A.66.010; amending section 28A.66.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.66.030; amending section 36.22.090, chapter 4, Laws of 1963 as last amended by section 31, chapter 43, Laws of 1975 and RCW 36.22.090; amending section 9, chapter 15, Laws of 1975-'76 2nd ex. sess. and RCW 28A.57.415; amending section 28A.57.344, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 183, Laws of 1979 ex. sess. and RCW 28A.57.344; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; creating new sections; repealing section 28A.66.050, chapter 223, Laws of 1969 ex. sess., section 45, chapter 48, Laws of 1971, section 1, chapter 72, Laws of 1973 and RCW 28A.66.050; repealing section 28A.66.060, chapter 223, Laws of 1969 ex. sess., section 46, chapter 48, Laws of 1971, section 129, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.66.060; repealing section 28A.66.080, chapter 223, Laws of 1969 ex. sess., section 30, chapter 43, Laws of 1975 and RCW 28A.66.080; repealing section 28A.66.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.66.090; and repealing section 28A.66.100, chapter 223, Laws of 1969 ex. sess., section 47, chapter 48, repealing section 28A.66.100, chapter 223, Laws of 1969 ex. sess., section 47, chapter 48, Laws of 1971, section 130, chapter 275, Laws of 1975 1st ex. sess., section 32, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.66.100.", and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

POINT OF ORDER

Senator Gaspard: "Mr. President, I rise to a point of order to challenge the scope and object of the House amendment. If you will look at the bill the House amendments deal with separate items: Vendor payments, issue of bonds for school transportation, modifying the school day, and also makes changes on the election of the school board directors, and makes changes in the title to apply to different chapters than the bill originally, as it passed the Senate."

MOTION

On motion of Senator Clarke, there being no objection, the House Message on Engrossed Senate Bill No. 3242 and the House amendments thereto, together with the Point of Order raised by Senator Gaspard on the amendments, was ordered held pending a Ruling by the President.

MESSAGE FROM THE HOUSE

March 15, 1982.

Mr. President: The House has passed SENATE BILL NO. 4025 with the following amendment originally adopted on March 8, 1982:

On page 1, beginning on line 8, strike all of Sec. 2 and insert:

"NEW SECTION, Sec. 2. Upon vacation of the Smith's Cove waterway under section 1 of this act, the fair market value of those tidelands lying landward of the inner harbor line shall be determined by the department of natural resources at an amount not less than the average of at least two independent appraisals. Such lands shall be offered for sale to the Port of Seattle at fair market value. When the entire sale price is received the deed shall be issued in accordance with RCW 79.01.220 or section 32, chapter ____, Laws of 1982 ex. sess. (SSB 4824). Proceeds from sale shall first be used to reimburse the resource management cost account for appraisal costs and the remainder shall be deposited in the state general fund.", and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTIONS

Senator Newhouse moved the Senate do not concur in the House amendment to Senate Bill No. 4025.

Senator Moore moved the Senate do concur in the House amendment to Senate Bill No. 4025.

Debate ensued.

POINT OF INQUIRY

Senator Shinpoch: "Senator Jones, I understood you to indicate that this is a waterway, and it was my understanding that there is no water there, that it is no longer a waterway. Is my understanding incorrect?"

Senator Jones: "It is interpreted as a 'waterway.' The fact that there are forms of water, in whatever kind of form it is construed to be a waterway, by definition."

Senator Shinpoch: "You are saying it is defined as a waterway, but it has surface water when it rains, such as my driveway; but there is really no water in it at this point, that it is a piece of land that is called a 'waterway' but actually the water has been shut off from it and there is no water it is intended to be filled and used . . . ? Thank you."

Debate ensued.

Senator Moore demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll all on the positive motion by Senator Moore that the Senate concur in the House amendment to Senate Bill No. 4025.

ROLL CALL

The Secretary called the roll and the motion carried by the following vote: Yeas, 28; nays, 18; absent or not voting, 2; excused, 1.

Voting yea: Senators Bauer, Bluechel, Bottiger, Charnley, Conner, Craswell, Fleming, Gaspard, Goltz, Gould, Haley, Hansen, Hemstad, Hughes, Hurley, Lysen, McCaslin, McDermott, Moore, Peterson, Ridder, Shinpoch, Talmadge, Vognil, Williams, Wilson, Wojahn, Woody—28.

Voting nay: Senators Benitz, Clarke, Deccio, Fuller, Gallagher, Guess, Hayner, Jones, Kiskaddon, Lee, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, von Reichbauer, Zimmerman—18.

Absent or not voting: Senators Rasmussen, Sellar—2.

Excused: Senator Talley—1.

The motion by Senator Moore carried and the Senate concurred in the House amendment to Senate Bill No. 4025.

MOTIONS

On motion of Senator Ridder, Senator Rasmussen was excused.

On motion of Senator von Reichbauer, Senator Sellar was excused.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 4025, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 37; nays, 8; absent or not voting, 1; excused, 3.

Voting yea: Senators Bauer, Benitz, Bottiger, Charnley, Clarke, Conner, Fleming, Fuller, Gallagher, Goltz, Gould, Guess, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, McCaslin, McDermott, Metcalf, Newhouse, Patterson, Peterson, Pullen, Quigg, Ridder, Scott, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wojahn, Woody, Zimmerman—37.

Voting nay: Senators Bluechel, Craswell, Deccio, Gaspard, Haley, Lysen, Moore, Wilson—8.

Absent or not voting: Senator Lee—1.

Excused: Senators Rasmussen, Sellar, Talley—3.

SENATE BILL NO. 4025, 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

March 15, 1982.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 4675 with the following amendments originally adopted March 4, 1982:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 7, chapter 359, Laws of 1977 ex. sess. and RCW 28A.41-.162 are each amended to read as follows:

In addition to those state funds provided to school districts for basic education, the legislature shall appropriate funds for pupil transportation, in accordance with (~~RCW 28A.41.160~~) this chapter, and for programs for handicapped students, in accordance with chapter 28A.13 RCW. The legislature may appropriate funds to be distributed to school districts for population factors such as urban costs, enrollment fluctuations and for special programs, including but not limited to, vocational-technical institutes, compensatory programs, bilingual education, urban, rural, racial and disadvantaged programs, programs for gifted students, and other special programs.

Sec. 2. Section 4, chapter 265, Laws of 1981 and RCW 28A.41.520 are each amended to read as follows:

Each district's annual student transportation allocation shall be based on differential rates determined by the superintendent of public instruction in the following manner:

(1) The superintendent shall annually calculate a standard student mile allocation rate for each district. "Standard student mile allocation rate," as used in this (~~section~~) chapter, means the per mile allocation rate for transporting an eligible student. The standard student mile allocation rate may consist of no more than (~~five~~) eight differential rates state-wide, as determined by the superintendent, and shall include but not be limited to such factors as climate and terrain; restricted passenger load; nonpassenger miles; and the costs of insurance, district or contracted employee salaries, and benefits, maintenance, fuel, supplies, and materials to the

extent that they are not under the direct control of the district." The standard student mile allocation rate shall be used to determine the transportation allocation for those services provided for in RCW 28A.41.505(1).

(2) The superintendent shall annually calculate a standard unit mile rate for each district. "Standard unit mile rate," as used in this section, means the cost of operating an approved transportation vehicle for one mile. The standard unit mile rate may consist of no more than ~~((five))~~ eight differential rates state-wide, as determined by the superintendent, and shall be based on the factors used in subsection (1) of this section. The standard unit mile rate shall be used to determine the transportation allocation for those services provided for in RCW 28A.41.505(2) and (3). For purposes of allocating funds for RCW 28A.41.505(2), the superintendent shall use the average number of miles reported by the district for the two school years, excluding field trips.

(3) Prior to June 1st of each year the superintendent shall submit to the office of financial management, and the committees on education and ways and means of the senate and house of representatives a report outlining the methodology and rationale used in determining the student mile and unit mile rates to be used the following year.

Sec. 3. Section 5, chapter 265, Laws of 1981 and RCW 28A.41.525 are each amended to read as follows:

The superintendent shall determine the preliminary, estimated student transportation allocation for each district and notify districts of their preliminary student transportation allocation by June 15. ~~((The superintendent shall include not less than twenty-five percent of the estimated student transportation allocation in the following September apportionment payment to school districts:))~~ By the following October 15th, every district shall notify the superintendent of any changes in the data utilized in calculating the preliminary student transportation allocation. The superintendent shall then make necessary corrections and shall notify districts of their final student transportation allocation before the following December 1st ~~(, and shall make the balance of the student transportation allocation in approximately equal parts as a part of the December, February, and April apportionment payments to school districts)).~~ If the number of eligible students in a school district changes ten percent or more from the final October 15 number, and the change is maintained for a period of twenty consecutive school days or more, the district may submit revised eligible student data to the superintendent of public instruction. The superintendent shall, to the extent funds are available, recalculate the district's allocation for the transportation of pupils to and from school.

The superintendent shall make the student transportation allocation in accordance with the apportionment payment schedule in RCW 28A.48.010, as now or hereafter amended. For the 1982-83 school year, no school district shall receive a reduction or increase in funds of over three percent of what it received the previous year as adjusted to its proportional share of funds appropriated by the legislature for 1982-83 transportation services.

NEW SECTION. Sec. 4. The superintendent of public instruction shall submit a report to the legislature which shall:

(1) Identify the factors that will be used to recognize cost differentials between districts, and the data elements that will be used to measure the factors that contribute to these cost differentials;

(2) Collect the appropriate financial and workload data necessary to measure cost differentials between districts;

(3) Describe and analyze the differential rates associated with the standard student mile allocation under the eligibility formula along with an analysis of each school district's eligibility for a differential rate. The rationale for choosing specific

rates and the procedures used in evaluating district requests for differential rates shall also be included;

(4) Compare and analyze the difference in costs of changing the "eligible student" definition in RCW 28A.41.510 to include only those students whose residence or assigned route stop is more than one and one-half miles from the student's school, while still excepting handicapped students;

(5) Compare the distribution of transportation operating funds to each local school district under the interim methodology approved for the 1982-83 school year and the methodology requiring use of eligible student for 1983-84; and

(6) Present options for a continued phase-in of the eligible student allocation formula, with a description of the fiscal impact on school districts.

The report shall be submitted to the senate and house committees on education no later than December 15, 1982.

All data collected by the superintendent and requested by the committees on ways and means or education of the house or senate pertaining to the funding of pupil transportation shall be delivered to the legislative evaluation and accountability program (LEAP) as soon as possible in a machine readable form acceptable to the LEAP committee.

NEW SECTION. Sec. 5. Section 13, chapter 265, Laws of 1981 (uncodified) is hereby repealed.

NEW SECTION. Sec. 6. Sections 2 and 3 of this amendatory act shall take effect September 1, 1982.

NEW SECTION. Sec. 7. If any provision of this 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."

On line 1 of the title after "transportation;" strike the remainder of the title and insert the following "amending section 7, chapter 359, Laws of 1977 ex. sess. and RCW 28A.41.162; amending section 4, chapter 265, Laws of 1981 and RCW 28A.41.520; amending section 5, chapter 265, Laws of 1981 and RCW 28A.41.525; creating new sections; repealing section 13, chapter 265, Laws of 1981 (uncodified); and providing an effective date.", and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Kiskaddon, the Senate refused to concur in the House amendments to Engrossed Substitute Senate Bill No. 4675 and asks the House to recede therefrom.

MESSAGE FROM THE HOUSE

March 15, 1982.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 4963 with the following amendments originally adopted March 9, 1982:

On page 1, after line 27, insert a new paragraph as follows:

"A port district that is not imposing a levy under this section collectable in 1982 may only commence imposing levies under this section if it receives voter approval of a proposition authorizing such levies that is approved by majority vote of the port district voters voting on the proposition. This requirement for obtaining voter approval applies whether or not a port district has previously imposed levies under this section."

On page 1, beginning on line 28 strike all material down to and including "proposition." on page 2, line 19, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Patterson, the Senate refused to concur in the House amendments to Engrossed Substitute Senate Bill No. 4963 and asks the House to recede therefrom.

MOTIONS

On motion of Senator Clarke, the Senate advanced to the eighth order of business.

On motion of Senator Hayner, the Committee on Rules was relieved from further consideration of the following Senate measures on third reading: Engrossed Senate Bill No. 3405, Engrossed Senate Bill No. 3609, Engrossed Senate Bill No. 4133, Engrossed Senate Bill No. 4578, Engrossed Senate Bill No. 3915, Substitute Senate Bill No. 4586, Engrossed Senate Bill No. 4705, Engrossed Substitute Senate Bill No. 4944, Substitute Senate Bill No. 4609, Engrossed Substitute Senate Joint Resolution No. 143, Engrossed Second Substitute Senate Bill No. 4603 and Engrossed Substitute Senate Bill No. 4264.

On motion of Senator Hayner, the Committee on Rules was relieved from further consideration of the following Senate Bills on second reading: Senate Bills 3783, 4285, 4841, 4634 and 4368.

The above measures will be placed on the calendar, in the order listed, for today.

MOTION

At 11:45 p.m., on motion of Senator Clarke, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:00 p.m.

MOTION

On motion of Senator Clarke, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

March 16, 1982.

Mr. President: The Speaker has signed:
SENATE CONCURRENT RESOLUTION NO. 149,
SENATE CONCURRENT RESOLUTION NO. 150, and the same are here-
with transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Clarke, the Senate advanced to the seventh order of business.

THIRD READING

ENGROSSED SENATE BILL NO. 3405, by Senators Jones, Gallagher, Hayner and Gould (by Department of Revenue request):

Establishing fact finding procedures under the Educational Employment Relations Act.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3405.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 3405, and the bill failed to pass the Senate by the following vote: Yeas, 20; nays, 16; absent or not voting, 10; excused, 3.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Scott, von Reichbauer—20.

Voting nay: Senators Bauer, Bottiger, Fleming, Gaspard, Goltz, Hansen, Hughes, Lysen, McDermott, Peterson, Ridder, Talmadge, Williams, Wilson, Wojahn, Zimmerman—16.

Absent or not voting: Senators Charnley, Conner, Deccio, Hurley, Kiskaddon, Moore, Quigg, Shinpoch, Vognild, Woody—10.

Excused: Senators Rasmussen, Sellar, Talley—3.

ENGROSSED SENATE BILL NO. 3405, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Zimmerman served notice that he would, at the proper time, move for reconsideration of the vote by which the Senate failed to pass Engrossed Senate Bill No. 3405.

PARLIAMENTARY INQUIRY

Senator Clarke: "Parliamentary inquiry. The vote on reconsideration may be made at our present posture. When is it necessary to have the vote on reconsideration?"

REPLY BY THE PRESIDENT

President Cherberg: "Any time today, Senator.

"Notice of reconsideration has been received from Senator Zimmerman, . . . today or next working day."

Senator Clarke: "The next working day — that is the point. I was asking whether under our present concept, the motion must be made today or the next working day?"

REPLY BY THE PRESIDENT

President Cherberg: "The next working day."

PARLIAMENTARY INQUIRY

Senator Bottiger: "Mr. President, if the structure of the special session is such that you cannot determine when an end to the session will be, do I then take it that the rule in the last ten days of the session, is not applicable and so it would be on the next working day?"

REPLY BY THE PRESIDENT

President Cherberg: "Honored members of the Senate, the President believes that when the Senate is in special session with no designated time limit, that it is the responsibility of the President to expedite business. The President further believes that Senator Zimmerman may make the motion today to reconsider, and the Senate act upon it; or postpone it until a time certain; or give notice today and make the motion to reconsider tomorrow during the appropriate order of business, such action taking a majority to prevail."

The President announced the Notice of Reconsideration by Senator Zimmerman on the failure of Engrossed Senate Bill No. 3405 to pass the Senate was received.

MOTION

On motion of Senator Clarke, Engrossed Senate Bill No. 3609 will be considered following Substitute Senate Bill No. 4586.

THIRD READING

ENGROSSED SENATE BILL NO. 4133, by Senators Quigg, Ridder and Sellar (by Governor Spellman request):

Modifying adjustments in compensation or death benefits payable under industrial insurance system.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 4133.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4133, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 2; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Craswell, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Ridder, Scott, Shipoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—44.

Absent or not voting: Senators Conner, Deccio—2.

Excused: Senators Rasmussen, Sellar, Talley—3.

ENGROSSED SENATE BILL NO. 4133, having received the 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 SENATE BILL NO. 4578, by Senators Scott, Deccio, Talmadge, Goltz, Charnley, Benitz and Fleming:

Increasing insurance premiums tax.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 4578.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4578, and the bill passed the Senate by the following vote: Yeas, 32; nays, 11; absent or not voting, 3; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McDermott, Metcalf, Peterson, Quigg, Ridder, Scott, Talmadge, Vognild, Williams, Wilson, Wojahn, Zimmerman—32.

Voting nay: Senators Craswell, Hughes, Hurley, Lysen, McCaslin, Moore, Newhouse, Patterson, Pullen, Shipoch, von Reichbauer—11.

Absent or not voting: Senators Conner, Deccio, Woody—3.

Excused: Senators Rasmussen, Sellar, Talley—3.

ENGROSSED SENATE BILL NO. 4578, having received the 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

SUBSTITUTE SENATE BILL NO. 4586, by Committee on State Government (originally sponsored by Senators Metcalf, Hemstad and Wilson)(by Governor Spellman request):

Reorganizing various agencies of state government.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 4586.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 4586, and the bill passed the Senate by the following vote: Yeas, 39, nays, 6; absent or not voting, 1; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Clarke, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Ridder, Scott, Shipoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Woody, Zimmerman—39.

Voting nay: Senators Charnley, Hughes, Hurley, Lysen, McDermott, Wojahn—6.

Absent or not voting: Senator Conner—1.

Excused: Senators Rasmussen, Sellar, Talley—3.

SUBSTITUTE SENATE BILL NO. 4586, having received the 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 SENATE BILL NO. 4705, by Senators Gallagher, Rasmussen, Shipoch, Deccio, Metcalf, Quigg, Vognild and Haley:

Authorizing use of credit cards for state purchases.

The bill was read the third time and placed on final passage.

The President declared the question to be the roll call on final passage of Engrossed Senate Bill No. 4705.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4705, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 1; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Craswell, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Ridder, Scott, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—43.

Voting nay: Senators Deccio, McDermott—2.

Absent or not voting: Senator Conner—1.

Excused: Senators Rasmussen, Sellar, Talley—3.

ENGROSSED SENATE BILL NO. 4705, having received the 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 SUBSTITUTE SENATE BILL NO. 4944, by Committee on Ways and Means (originally sponsored by Senators Gallagher, Zimmerman, Guess, Hansen, Peterson and Newhouse):

Modifying provisions on oil and gas.

The bill was read the third time and placed on final passage.

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 4944.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 4944, and the bill passed the Senate by the following vote: Yeas, 30; nays, 14; absent or not voting, 2; excused, 3.

Voting yea: Senators Bauer, Bluechel, Bottiger, Clarke, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, McDermott, Metcalf, Moore, Ridder, Scott, Shinpoch, Talmadge, Vognild, Williams, Wojahn, Woody, Zimmerman—30.

Voting nay: Senators Benitz, Charnley, Craswell, Deccio, Hansen, Hughes, McCaslin, Newhouse, Patterson, Peterson, Pullen, Quigg, von Reichbauer, Wilson—14.

Absent or not voting: Senators Conner, Lysen—2.

Excused: Senators Rasmussen, Sellar, Talley—3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4944, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of act.

THIRD READING

ENGROSSED SENATE BILL NO. 3609, by Senators Bauer, Haley, Gaspard, McDermott, Bluechel, Rasmussen, Ridder, Lee, Zimmerman, Fleming and Hughes:

Establishing a temporary committee on educational policies, structure and management, setting forth its duties, and providing for its abolishment.

MOTIONS

On motion of Senator Clarke, the rules were suspended, Engrossed Senate Bill No. 3609 was returned to second reading.

Senator Bauer moved adoption of the following amendment by Senators Bauer and Lee:

On page 1, line 8, after "Section 1." strike everything through line 16 and insert "Washington's citizens have long placed a high value on a system of education that contributes to individual development, to the health of communities, and to the quality of life in the state as a whole. While many excellent programs exist, there is need to build public confidence in the ability of the education system amply to educate students. The legislature has evidence of a lack of coordination between education institutions, a weak response to the progressive academic and vocational needs of students, an unclear statement as to roles and missions, an inconsistency between programs, duplications of effort, and inefficient uses of public dollars. The possibilities for improving this structure require comprehensive examination."

POINT OF INQUIRY

Senator Shinpoch: "Senator Bauer, let me describe my problem to you and see if we can"

"I have no problem with about the first eight or nine lines of your amendment, but then when you say that 'the legislature has evidence of,' and then you go on down and say 'an inefficient use of public dollars,' I am not sure if that is a correct statement then we have no defense. If we have evidence of inefficient use of public dollars, we should have taken it out long ago.

"And then you other statement in there that we have 'an unclear statement as to roles and missions,' well, I worked with the council on post-secondary education a long time defining the role of missions of, at least of the post-secondary, so I don't, I find some problems with the second half of the statement. If you are only putting on about the first lines on to what is on there, well, then that is one thing; but I"

Senator Bauer: "Well, Senator Shinpoch, that particular paragraph has been discussed and cussed for six years now. In the initial form of the bills we have had before us here, I think that all those parties that focused in on some length on that and discussed it in the various committees, recognize that every session we come to Olympia, we come to introduce legislation that will get the best use of the public dollars. And I don't think that any of us would be naive to think that if there is any rationale for this study at all, one rationale would be that there is a possibility for the citizens looking at a delivery systems that there are more efficient ways of using the public dollars than we are. And maybe that shouldn't have been so explicitly put; however, I think we are going to be honest with ourselves, that is the real life out there, and I think this reflects that."

Senator Shinpoch: "Well, Senator Bauer, are you indicating that the manner in which we appropriate funds leads to inefficiencies and we should change the manner in which we appropriate them?"

Senator Bauer: "I am not quarelling with the question of the appropriation, I am quarelling with the question of the utilization; and our appropriation is utilization. If we appropriate 'X' number of dollars to the commission for vocational education and it isn't getting the best bucks in the return, well, then it is inefficient use of appropriation as well as utilization, I would think."

Senator Shinpoch: "Senator Bauer, would you have any objections to setting this down for another bill or two and you and I discuss this? I have problems with preambles that make statements that I don't think are true, and, or can't be necessarily demonstrated and I think that there is a better way to do what both you and I would like to do with this particular section."

Senator Bauer: "If it is technical in nature, that is one thing; but this is the House's best offer to their compromise to that statement that we previously had in the original bill. And I am afraid that that House committee then will need to quibble with us for another five years over that language and I would regret that if that were to happen. And I think we all would regret that. So Senator Shinpoch, I don't want to be an obstructionist to try to satisfy your particular objective but I think in doing so, we might destroy the initiative here we have before us."

MOTION

On motion of Senator Shinpoch, Engrossed Senate Bill No. 3609 together with the pending amendment by Senators Bauer and Lee was ordered held for consideration following Engrossed Substitute Senate Joint Resolution No. 143.

THIRD READING

SUBSTITUTE SENATE BILL NO. 4609, by Committee on Transportation (originally sponsored by Senators Kiskaddon and Vognild)(by Governor Spellman request):

Revising laws governing labor relations for ferry workers.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 4609.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 4609, and the bill passed the Senate by the following vote: Yeas, 35; nays, 10; absent or not voting, 1; excused, 3.

Voting yea: Senators Bauer, Benitz, Bottiger, Charnley, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Hansen, Hemstad, Hughes, Hurley, Kiskaddon, Lee, Lysen, McDermott, Metcalf, Moore, Patterson, Peterson, Quigg, Ridder, Scott, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—35.

Voting nay: Senators Bluechel, Clarke, Craswell, Deccio, Haley, Hayner, Jones, McCaslin, Newhouse, Pullen—10.

Absent or not voting: Senator Conner—1.

Excused: Senators Rasmussen, Sellar, Talley—3.

SUBSTITUTE SENATE BILL NO. 4609, having received the 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 SUBSTITUTE SENATE JOINT RESOLUTION NO. 143, by Committee on Local Government (originally sponsored by Senators Gallagher, Fleming, Bottiger, Zimmerman, Hemstad, Bauer and Benitz)(by Governor Spellman request):

Providing means for payment of indebtedness on public improvements.

The bill was read the third time and placed on final passage.

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Joint Resolution No. 143.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Joint Resolution No. 143, and the resolution passed the Senate by the following vote: Yeas, 34; nays, 12; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Conner, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Jones, Kiskaddon, Lee, McDermott, Moore, Patterson, Peterson, Quigg, Ridder, Scott, Talmadge, Vognild, von Reichbauer, Wilson, Wojahn, Zimmerman—34.

Voting nay: Senators Clarke, Craswell, Deccio, Hurley, Lysen, McCaslin, Metcalf, Newhouse, Pullen, Shinpoch, Williams, Woody—12.

Excused: Senators Rasmussen, Sellar, Talley—3.

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 143, having received the constitutional two-thirds majority, was declared passed.

MOTION

On motion of Senator Clarke, the Senate returned to the sixth order of business.

SECOND READING

ENGROSSED SENATE BILL NO. 3609, by Senators Bauer, Haley, Gaspard, McDermott, Bluechel, Rasmussen, Ridder, Lee, Zimmerman, Fleming and Hughes:

Establishing a temporary committee on educational policies, structure and management, and setting forth its duties, and providing for its abolishment.

The Senate resumed consideration of Engrossed Senate Bill No. 3609 from earlier today.

Senator Bauer had moved adoption of the following amendment by Senators Bauer and Lee:

On page 1, line 8, after "Section 1." strike everything through line 16 and insert "Washington's citizens have long placed a high value on a system of education that contributes to individual development, to the health of communities, and to the quality of life in the state as a whole. While many excellent programs exist, there is need to build public confidence in the ability of the education system amply to educate students. The legislature has evidence of a lack of coordination between education institutions, a weak response to the progressive academic and vocational needs of students, an unclear statement as to roles and missions, an inconsistency between programs, duplications of effort, and inefficient uses of public dollars. The possibilities for improving this structure require comprehensive examination."

Senator Shinpoch moved adoption of the following amendment to the amendment by Senators Bauer and Lee:

On page 1, line 9 of the amendment, strike "The legislature has evidence of" and insert "The legislature has reason to believe that there is"

Debate ensued.

The motion by Senator Shinpoch carried and the amendment to the amendment by Senators Bauer and Lee was adopted.

The motion by Senator Bauer carried and the amendment, as amended, was adopted.

On motion of Senator Bauer, the following amendments by Senators Bauer and Lee were adopted:

On page 3, after line 15, insert a new subsection as follows:

"(6) An emphasis on the education of children in kindergarten through second grade, with particular reference to new information and research on the effectiveness of early childhood education;"

Re-number the remaining subsections.

On page 3, line 23, strike all of subsection (7) and insert the following:

"(7) In regard to postsecondary education, the committee shall take into consideration the policy and planning studies or reports of the council for postsecondary education, and shall utilize to extent possible the data and findings of such council's studies and reports. In adopting a work program or prioritizing the areas for review or study, the committee shall determine whether actual or pending studies of such council have sufficiently examined the areas of concern to the committee, with the intent being to avoid unnecessary duplication of effort between the committee and the council."

On page 3, line 27, before "The committee's" insert "The committee's first responsibilities shall be to identify priority areas and to prepare to address them in a phased-in manner. Furthermore, as areas are addressed, the committee shall seek out and highlight programs that are working and shall also make use of testimony and reports from those who have studies or who now are studying education in Washington."

On page 3, line 30, strike "1983" and insert "1984"

On page 4, beginning on line 3, strike everything through line 5 and insert "The Committee shall establish advisory committees and task forces, as it may deem necessary, to assist it in the fulfillment of its duties and to ensure that the products reflect a broad consensus and earn a sizable constituency."

On page 4, line 16, strike "one hundred" and insert "twenty-five"

On page 4, line 18, after "fund," insert: "PROVIDED FURTHER, That up to an additional one hundred thousand dollars from the state general fund may be expended if each dollar is matched by funds from private sources."

On motion of Senator Bauer, the rules were suspended, Reengrossed Senate Bill No. 3609 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 Reengrossed Senate Bill No. 3609, and the bill passed the Senate by the following vote: Yeas, 39; nays, 6; absent or not voting, 1; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Fleming, Fuller, Gallagher, Gaspard, Goltz, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McDermott, Metcalf, Moore, Patterson, Peterson, Quigg, Ridder, Scott, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—39.

Voting nay: Senators Craswell, Deccio, McCaslin, Newhouse, Pullen, Shinpoch—6.

Absent or not voting: Senator Gould—1.

Excused: Senators Rasmussen, Sellar, Talley—3.

REENGROSSED SENATE BILL NO. 3609, having received the 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 SENATE BILL NO. 3915, by Senators Lee, Hurley and Vognild:

Establishing recreation guide revolving fund.

MOTIONS

On motion of Senator Lee, the rules were suspended, Engrossed Senate Bill No. 3915 was returned to second reading.

Senator Lee moved adoption of the following amendment:

On page 1, line 27 strike all material down to and including "appropriation." on page 3, line 11 and insert

"The committee is authorized to expend from the Outdoor Recreation Account the sum of seventy thousand dollars or so much thereof as may be necessary for the initial production of the guide. Proceeds from the sale of the guide paid into the Survey and Maps Account shall be reimbursed by the Department of Natural Resources to the Outdoor Recreation Account."

Debate ensued.

The motion by Senator Lee carried and the amendment was adopted.

On motion of Senator Lee, the rules were suspended, Reengrossed Senate Bill No. 3915 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 Reengrossed Senate Bill No. 3915, and the bill passed the Senate by the following vote: Yeas, 40; nays, 6; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, Lysen, McDermott, Metcalf, Moore, Newhouse, Peterson, Ridder, Scott, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wojahn, Woody, Zimmerman—40.

Voting nay: Senators Hughes, McCaslin, Patterson, Pullen, Quigg, Wilson—6.

Excused: Senators Rasmussen, Sellar, Talley—3.

REENGROSSED SENATE BILL NO. 3915, having received the 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 2:30 p.m., on motion of Senator Clarke, the Senate recessed until 6:30 p.m.

EVENING SESSION

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

MOTION

On motion of Senator Clarke, the Senate returned to the fourth order of business.

MESSAGES FROM THE HOUSE

March 16, 1982.

Mr. President: The House has passed:
 SUBSTITUTE HOUSE BILL NO. 268,
 HOUSE BILL NO. 736,
 SUBSTITUTE HOUSE BILL NO. 808,
 SECOND SUBSTITUTE HOUSE BILL NO. 828,
 ENGROSSED HOUSE BILL NO. 829,
 SUBSTITUTE HOUSE BILL NO. 977,

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 987,
 HOUSE BILL NO. 991,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1039,
 HOUSE BILL NO. 1092,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1102,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1103,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1105,
 SUBSTITUTE HOUSE BILL NO. 1109,
 SUBSTITUTE HOUSE BILL NO. 1140,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1141,
 HOUSE BILL NO. 1145,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1156,
 SUBSTITUTE HOUSE BILL NO. 1158,
 SUBSTITUTE HOUSE BILL NO. 1165,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1217,
 ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 13, and
 the same are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

March 16, 1982.

Mr. President: The House has adopted: HOUSE CONCURRENT RESOLUTION NO. 37, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: SENATE BILL NO. 4025.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 4993, by Senator Lee:
 AN ACT Relating to cost control measures for local government.
 Referred to Committee on Ways and Means.

SENATE BILL NO. 4994, by Senator Lee:
 AN ACT Relating to cost control measures for state government.
 Referred to Committee on Ways and Means.

SENATE BILL NO. 4995, by Senator Gould:
 AN ACT Relating to joint operating agencies.
 Referred to Committee on Energy and Utilities.

SENATE BILL NO. 4996, by Senator Gould:
 AN ACT Relating to joint operating agencies.
 Referred to Committee on Energy and Utilities.

SENATE BILL NO. 4997, by Senator Gould:
 AN ACT Relating to public utility districts.
 Referred to Committee on Energy and Utilities.

SENATE BILL NO. 4998, by Senator Gould:
 AN ACT Relating to public utility districts.
 Referred to Committee on Energy and Utilities.

SENATE BILL NO. 4999, by Senator Gould:
 AN ACT Relating to utilities.
 Referred to Committee on Energy and Utilities.

SENATE BILL NO. 5000, by Senator Gould:

AN ACT Relating to utilities.

Referred to Committee on Energy and Utilities.

SUBSTITUTE HOUSE BILL NO. 268, by Committee on Ethics, Law and Justice (originally sponsored by Committee on Ethics, Law and Justice and Representatives Ellis, Hine, Burns and Rust):

Delaying vehicle license renewal until unpaid parking fines are paid.

Referred to Committee on Rules.

HOUSE BILL NO. 736, by Committee on State Government and Representative Garson:

Allowing the state employees insurance board to contract with multiple carriers providing similar coverage and changing the frequency of insurance surveys performed for the board.

Referred to Committee on Rules.

SUBSTITUTE HOUSE BILL NO. 808, by Committee on Appropriations—Human Services (originally sponsored by Representatives Nisbet, Owen, Houchen and Struthers) (by Governor Spellman request):

Providing for a 500-man medium security correction center.

Referred to Committee on Rules.

SECOND SUBSTITUTE HOUSE BILL NO. 828, by Committee on Ways and Means (originally sponsored by Representatives Tilly, Johnson, Wilson, Wang, Cole, Kaiser, North, Granlund, Rust, Addison, Ellis, Greengo, King (J), Stratton, Tupper, Patrick, Winsley, Martinis, Hine, Pruitt, Galloway, Maxie, Barr and Armstrong):

Continuing compensation for crime victims.

Referred to Committee on Rules.

ENGROSSED HOUSE BILL NO. 829, by Representatives Padden, Mitchell, James, Sprague, Stratton, Tupper and Patrick:

Restricting the ability of local public officials to mail campaign material at public expense.

Referred to Committee on Constitutions and Elections.

SUBSTITUTE HOUSE BILL NO. 977, by Committee on Labor and Economic Development (originally sponsored by Representatives King (J), Sanders, Heck, Galloway, Scott, Bender, Owen, Hine, Salatino, Brown, Wang, King (R), Stratton, Rust, Kaiser, Valle, Maxie, Brekke, Nelson (D), Johnson, Burns, Pruitt and Armstrong):

Enacting the business and industrial development corporations act.

Referred to Committee on Commerce and Labor.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 987, by Committee on Appropriations—General Government (originally sponsored by Committee on Appropriations—General Government and Representatives Williams, Wang, McDonald, Ellis and James):

Placing limitations on certain payments to school employees.

Referred to Committee on Rules.

HOUSE BILL NO. 991, by Representatives Van Dyken, Bond, Fiske, Struthers, Taylor, Tupper, Greengo, Wilson, James, Lundquist, Johnson, Padden, Addison, Isaacson, Hastings, Smith, Sanders, Tilly, Hankins, Mitchell, Bickham, Ellis and Clayton:

Providing relief from sales and use taxes paid upon bad debts.

Referred to Committee on Ways and Means.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1039, by Committee on Appropriations—General Government (originally sponsored by Representatives Eberle and Sanders):

Removing authority of state liquor stores to sell beer and wine.
Referred to Committee on Commerce and Labor.

HOUSE BILL NO. 1092, by Representatives Struthers, Hastings and McGinnis:

Modifying the unfair cigarette sales act.
Referred to Committee on Rules.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1102, by Committee on Labor and Economic Development (originally sponsored by Representatives Nelson (G), Martinis, Struthers, Scott, Monohon, Hastings and Owen):

Implementing law relating to the control of gambling.
Referred to Committee on Rules.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1103, by Committee on Appropriations—General Government (originally sponsored by Representatives Struthers, McCormick, Nisbet, Galloway, Lewis, Monohon, Gallagher and King (J)):

Providing for a state lottery.
Referred to Committee on Ways and Means.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1105, by Committee on Appropriations—Human Services (originally sponsored by Representatives King (J), Lewis, Heck, Becker, Wang, Hine, Fiske, Chandler, Armstrong and Brekke):

Modifying appropriations to the department of social and health services.
Referred to Committee on Ways and Means.

SUBSTITUTE HOUSE BILL NO. 1109, by Committee on Ways and Means (originally sponsored by Representatives Sommers, Greengo and King (J)):

Modifying provisions relating to the budget stabilization account.
Referred to Committee on Ways and Means.

SUBSTITUTE HOUSE BILL NO. 1140, by Committee on Local Government (originally sponsored by Representatives Barr, Stratton, McCormick, Bond and Lundquist):

Relating to the prepayment of local sales and use taxes and the use of such tax revenues to mitigate socioeconomic impacts of large construction projects.
Referred to Committee on Ways and Means.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1141, by Committee on Labor and Economic Development (originally sponsored by Representatives Armstrong, Chandler, King (J), Fiske, Stratton, Lewis, Grimm, Valle, Scott, Eng, Bender, Lux, Salatino, Sommers, Patrick, Rinehart, Kaiser, Erak, Monohon, Warnke, Williams, Heck, Johnson and Wang):

Providing for the establishment of export assistance centers.
Referred to Committee on Commerce and Labor.

HOUSE BILL NO. 1145, by Committee on Local Government and Representative Isaacson:

Modifying provisions relating to special purpose districts.
Referred to Committee on Rules.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1156, by Committee on Local Government (originally sponsored by Committee on Local Government and Representatives Isaacson and Nelson (G)):

Permitting the establishment of cultural arts, stadium, and convention districts.
Referred to Committee on Rules.

SUBSTITUTE HOUSE BILL NO. 1158, by Committee on Appropriations-Human Services (originally sponsored by Committee on Appropriations-Human Services and Representatives Nisbet and Brekke):

Authorizing voluntary contributions to offset the cost of care provided to publicly supported nursing home patients.

Referred to Committee on Social and Health Services.

SUBSTITUTE HOUSE BILL NO. 1165, by Committee on State Government (originally sponsored by Committee on State Government and Representative Addison):

Modifying boards and commissions based on revised congressional districts.

Referred to Committee on State Government.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1217, by Select Committee on Deregulation and Productivity (originally sponsored by Representatives Williams, Vander Stoep and Tupper):

Modifying provisions on joint operating agencies.

Referred to Committee on Energy and Utilities.

ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 13, by Committee on Ways and Means (originally sponsored by Representatives Williams, Dawson, Isaacson and Dickie):

Modifying fiscal provisions of the state Constitution.

Referred to Committee on Ways and Means.

HOUSE CONCURRENT RESOLUTION NO. 37, by Representatives Williams, Dawson, Galloway, Greengo, Tilly, King (J), Hine, Salatino, Armstrong, Stratton, Rosbach, Brown, Fiske, Wang, Eberle and Sanders:

Urging the state investment board to make investments to stimulate the state's economy.

MOTIONS

On motion of Senator Clarke, the rules were suspended and House Concurrent Resolution No. 37 was advanced to second reading.

On motion of Senator Clarke, House Concurrent Resolution No. 37 was ordered held for consideration on March 17, 1982.

MOTION

On motion of Senator Clarke, the Senate advanced to the seventh order of business.

THIRD READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 4603, by Committee on Ways and Means (originally sponsored by Senators Zimmerman, Fleming, Bottiger, Hemstad, Bauer, Benitz and Fuller)(by Governor Spellman request):

Providing means for payment of public indebtedness on public improvements.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Second Substitute Senate Bill No. 4603.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 4603, and the bill passed the Senate by the following vote: Yeas, 34; nays, 12; absent or not voting, 1; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Conner, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, Moore, Patterson, Peterson, Quigg, Ridder, Scott, Talmadge, Vognild, von Reichbauer, Wilson, Wojahn, Zimmerman—34.

Voting nay: Senators Clarke, Craswell, Deccio, Lysen, McCaslin, Metcalf, Newhouse, Pullen, Rasmussen, Shipoch, Williams, Woody—12.

Absent or not voting: Senator Haley—1.

Excused: Senators Sellar, Talley—2.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 4603, having received the 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 6:53 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 7:40 p.m.

SPECIAL ORDER OF BUSINESS

THIRD READING

ENGROSSED SENATE BILL NO. 4661, by Senator Quigg (by Department of Employment Security request):

Modifying provisions relating to unemployment compensation.

The time having arrived, the Senate commenced consideration of Engrossed Senate Bill No. 4661 on third reading.

MOTIONS

On motion of Senator Quigg, the rules were suspended and Engrossed Senate Bill No. 4661 was returned to second reading.

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

On page 4, beginning on line 12, strike all material down to and including "1982." on line 24

Senator Vognild moved adoption of the following amendments by Senators Vognild, Quigg, Bottiger and McDermott:

On page 4, after line 11, add a new subsection to read as follows:

"(7) An "additional benefit period" means a period within an extended benefit period which:

(a) Begins with the third week after a week for which:

(i) The governor determines that adverse economic conditions and high unemployment among the state's workers necessitate payment of additional benefits; and

(ii) The commissioner determines that, for the fifty-two consecutive weeks ending with such week, the rate of insured unemployment as calculated under (d) of this subsection equals or exceeds six and one-half percent: PROVIDED, That six percent shall apply if the fifty-two week rate of insured unemployment has been less than four and one-half percent at any time within the preceding one hundred four weeks.

(b) Ends with the third week after a week for which the commissioner determines that, for the fifty-two consecutive weeks ending with such week, the rate of

insured unemployment as calculated under (d) of this subsection is less than six and one-half percent: PROVIDED, That six percent shall apply if the additional benefit period began because of the proviso in (a)(ii) of this subsection, the fifty-two week rate of insured unemployment has not exceeded six and one-half percent during the additional benefit period, and the additional benefit period has been in effect for fewer than thirty-six weeks.

(c) No additional benefit period may last for a period of less than thirteen weeks, and no additional benefit period may begin before the fourteenth week after the close of a prior additional benefit period.

(d) "Rate of insured unemployment", for the purposes of (a) and (b) of this subsection, means the percentage derived by dividing the average weekly number of individuals filing claims in this state for weeks of unemployment with respect to the most recent fifty-two consecutive-week period as determined by the commissioner on the basis of his reports to the United States Secretary of Labor by the average monthly employment covered under this title for the first four of the most recent six completed calendar quarters ending before the end of such fifty-two week period. The division shall be carried to the fourth decimal place with any remaining fraction disregarded.

(e) If a federally funded program of benefits is established which provides for benefits beyond thirty-nine weeks, any additional benefit period in effect shall terminate on the last day of the week preceding the effective week of the federal program. No additional benefit period may begin while such a federal program is in effect.

(8) "Additional benefit eligibility period" of an individual means the period consisting of the weeks in his or her benefit year which begin in an additional benefit period that is in effect and, if his or her benefit year ends within such additional benefit period, any weeks thereafter which begin in such period."

Renumber remaining subsections as necessary, and correct any internal references accordingly.

On page 12, after line 22, insert the following:

"NEW SECTION. Sec. 12. There is added to chapter 50.22 RCW a new section to read as follows:

(1) Additional benefits are payable to eligible persons who are "exhaustees" with respect to extended benefits. The term "exhaustee" is deemed to have the same meaning with respect to extended benefits as with respect to regular benefits.

(2) Additional benefit amounts shall be calculated pursuant to RCW 50.22.050(1) and (2).

(3) Eligibility for additional benefits shall be determined and benefits shall be paid under the same terms and conditions as for extended benefits.

NEW SECTION. Sec. 13. There is added to chapter 50.22 RCW a new section to read as follows:

(1) Notwithstanding RCW 50.22.010(8)(a), an additional benefit period is established for weeks of unemployment which begin on or after the third Sunday following the day on which the governor signs this 1982 act: PROVIDED, That this additional benefit period will be suspended during any week in which an extended benefit period is not in effect.

(2) Additional benefits are payable to otherwise eligible persons who have exhausted extended benefits on their most recent claim after July 1, 1980.

(3) The department of employment security shall develop proposals for a permanent program of additional benefits. The proposals shall address alternatives in trigger mechanisms, benefit levels, eligibility requirements, and unemployment insurance financing.

NEW SECTION. Sec. 14. There is added to chapter 50.22 RCW a new section to read as follows:

Benefits under sections 12 and 13 of this act are not payable for weeks of unemployment beginning after June 30, 1983, unless extended by law."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 12, line 23, after "Sections" strike "9 through 11" and insert "2, 9, 10, 11, 12, and 13"

There being no objection, several technical corrections were made on the amendment.

The motion by Senator Vognild carried and the amendments were adopted.

Senator Williams moved adoption of the following amendment:

On page 8, after line 31, insert the following:

"NEW SECTION. Sec. 7. There is added to chapter 50.20 RCW a new section to read as follows:

Suitable work for an individual may include part-time employment if it is shown to the satisfaction of the commissioner that:

- (1) The individual's base year employment includes part-time work; and
- (2) The individual has worked primarily on a part-time basis during the two years prior to the date of filing the claim for benefits; and
- (3) There exist, in the individual's labor market, reasonable opportunities for finding part-time work in the individual's occupation; and
- (4) The individual's history of part-time work is not directly related to the individual's status as a full-time student.

Work found suitable under this section must also meet the suitability provisions of RCW 50.20.100 and 50.20.110. The provisions of this section are effective to the extent not inconsistent with the provisions of Title 50 RCW governing regular shareable benefits and regular benefits."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Debate ensued.

Senator Williams demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senator Williams.

ROLL CALL

The Secretary called the roll and the amendment was not adopted by the following vote: Yeas, 23; nays, 24; excused, 2.

Voting yea: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—23.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, von Reichbauer, Zimmerman—24.

Excused: Senators Sellar, Talley—2.

Senator Quigg moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 59, chapter 35, Laws of 1945 as last amended by section 149, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 50.12.200 are each amended to read as follows:

The commissioner shall appoint a state advisory council composed of not more than nine (~~(members)~~) men and women, of which three shall be representatives of employers, three shall be representatives of employees, and three shall be representatives of the general public (~~(who are not entitled to benefits under this title)~~). Such council shall aid the commissioner in formulating policies and discussing problems

related to the administration of this title and of assuring impartiality and freedom from political influence in the solution of such problems. The council shall serve without compensation. The commissioner may also appoint committees, and industrial or other special councils, to perform appropriate services. Advisory council members shall be reimbursed for travel expenses incurred in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

Sec. 2. Section 2, chapter 1, Laws of 1971 as last amended by section 7, chapter 35, Laws of 1981 and RCW 50.22.010 are each amended to read as follows:

As used in this chapter, unless the context clearly indicates otherwise:

(1) "Extended benefit period" means a period which:

(a) Begins with the third week after ~~((whichever of the following weeks occurs first:~~

(i) ~~A week for which there is a national "on" indicator; or~~

~~(ii) A week for which there is a state "on" indicator; and))~~ a week for which there is an "on" indicator; and

(b) ~~Ends with the third week after the first week after the first week for which there is ((both a national "off" indicator and a state)) an "off" indicator: PROVIDED, That no extended benefit period shall last for a period of less than thirteen consecutive weeks, and further that no extended benefit period may begin by reason of ((a state)) an "on" indicator before the fourteenth week after the close of a prior extended benefit period which was in effect with respect to this state.~~

~~((2) There is a "national 'on' indicator" for a week if the United States secretary of labor determines that for the period consisting of such week and the twelve weeks immediately preceding it, the rate of insured unemployment (seasonally adjusted) for all states equalled or exceeded four and five-tenths percent (determined by reference to the average monthly covered employment for the first four of the most recent six calendar quarters ending before the close of the period).~~

~~(3) There is a "national 'off' indicator" for a week if the United States secretary of labor determines that for the period consisting of such week and the immediately preceding twelve weeks, the rate of insured unemployment (seasonally adjusted) for all states was less than four and five-tenths percent (determined by reference to the average monthly covered employment for the first four of the most recent six calendar quarters ending before the close of the period).~~

~~(4)) (2) There is ((a "state 'on' indicator") an "on" indicator~~ for this state for a week if the commissioner determines, in accordance with the regulations of the United States secretary of labor, that for the period consisting of such week and the immediately preceding twelve weeks, the rate of insured unemployment (not seasonally adjusted) ~~((either:~~

~~(a)) equalled or exceeded one hundred twenty percent of the average of such rates for the corresponding thirteen-week period ending in each of the preceding two calendar years and equalled or exceeded ((four percent; or~~

~~(b) Equalled or exceeded)) five percent.~~

~~((5)) (3) There is ((a "state 'off' indicator") an "off" indicator~~ for this state for a week if the commissioner determines, in accordance with the regulations of the United States secretary of labor, that for the period consisting of such week and the immediately preceding twelve weeks, the rate of insured unemployment (not seasonally adjusted) was either:

~~(a) Less than ((four)) five percent; or~~

~~(b) ((Four)) Five percent or more ((but less than five percent)) and the rate of insured unemployment was less than one hundred twenty percent of the average of the rates for the corresponding thirteen week period ending in each of the two preceding calendar years.~~

~~((6)) (4) "Regular benefits" means benefits payable to an individual under this title or under any state law (including benefits payable to federal civilian~~

employees and to ex-servicemen pursuant to 5 U.S.C. chapter 85) other than extended benefits or additional benefits.

~~((7))~~ (5) "Extended benefits" means benefits payable for weeks of unemployment beginning in an extended benefit period to an individual under this title or under any state law (including benefits payable to federal civilian employees and to ex-servicemen pursuant to 5 U.S.C. chapter 85) other than regular or additional benefits.

~~((8))~~ (6) "Additional benefits" are benefits totally financed by the state and payable under this title to exhaustees by reason of conditions of high unemployment or by reason of other special factors.

~~((9))~~ (7) "Eligibility period" of an individual means the period consisting of the weeks in his or her benefit year which begin in an extended benefit period that is in effect in this state and, if his or her benefit year ends within such extended benefit period, any weeks thereafter which begin in such period.

(8) An "additional benefit period" means a period within an extended benefit period which:

(a) Begins with the third week after a week for which:

(i) The governor determines that adverse economic conditions and high unemployment among the state's workers necessitate payment of additional benefits; and

(ii) The commissioner determines that, for the fifty-two consecutive weeks ending with such week, the rate of insured unemployment as calculated under (d) of this subsection equals or exceeds six and one-half percent: PROVIDED, That six percent shall apply if the fifty-two week rate of insured unemployment has been less than four and one-half percent at any time within the preceding one hundred four weeks.

(b) Ends with the third week after a week for which the commissioner determines that, for the fifty-two consecutive weeks ending with such week, the rate of insured unemployment as calculated under (d) of this subsection is less than six and one-half percent: PROVIDED, That six percent shall apply if the additional benefit period began because of the proviso in (a)(ii) of this subsection, the fifty-two week rate of insured unemployment has not exceeded six and one-half percent during the additional benefit period, and the additional benefit period has been in effect for fewer than thirty-six weeks.

(c) No additional benefit period may last for a period of less than thirteen weeks, and no additional benefit period may begin before the fourteenth week after the close of a prior additional benefit period.

(d) "Rate of insured unemployment," for the purposes of (a) and (b) of this subsection, means the percentage derived by dividing the average weekly number of individuals filing claims in this state for weeks of unemployment with respect to the most recent fifty-two consecutive-week period as determined by the commissioner on the basis of his reports to the United States Secretary of Labor by the average monthly employment covered under this title for the first four of the most recent six completed calendar quarters ending before the end of such fifty-two week period. The division shall be carried to the fourth decimal place with any remaining fraction disregarded.

(e) If a federally funded program of benefits is established which provides for benefits beyond thirty-nine weeks, any additional benefit period in effect shall terminate on the last day of the week preceding the effective week of the federal program. No additional benefit period may begin while such a federal program is in effect.

(9) "Additional benefit eligibility period" of an individual means the period consisting of the weeks in his or her benefit year which begin in an additional benefit period that is in effect and, if his or her benefit year ends within such additional benefit period, any weeks thereafter which begin in such period.

(10) "Exhaustee" means an individual who, with respect to any week of unemployment in his or her eligibility period:

(a) Has received, prior to such week, all of the regular benefits that were payable to him or her under this title or any other state law (including dependents' allowances and regular benefits payable to federal civilian employees and ex-servicemen under 5 U.S.C. chapter 85) in his or her current benefit year that includes such week; or

(b) Has received, prior to such week, all of the regular benefits that were available to him or her under this title or any other state law (including dependents' allowances and regular benefits available to federal civilian employees and ex-servicemen under 5 U.S.C. chapter 85) in his or her current benefit year that includes such week, after the cancellation of some or all of his or her wage credits or the total or partial reduction of his or her rights to regular benefits: PROVIDED, That, for the purposes of (a) and (b), an individual shall be deemed to have received in his or her current benefit year all of the regular benefits that were payable to him or her, or available to him or her, as the case may be, even though:

(i) As a result of a pending appeal with respect to wages or employment, or both, that were not included in the original monetary determination with respect to his or her current benefit year, he or she may subsequently be determined to be entitled to more regular benefits; or

(ii) By reason of the seasonal provisions of another state law, he or she is not entitled to regular benefits with respect to such week of unemployment (although he or she may be entitled to regular benefits with respect to future weeks of unemployment in the next season, as the case may be, in his or her current benefit year), and he or she is otherwise an exhaustee within the meaning of this section with respect to his or her right to regular benefits under such state law seasonal provisions during the season or off season in which that week of unemployment occurs; or

(iii) Having established a benefit year, no regular benefits are payable to him or her during such year because his or her wage credits were canceled or his or her right to regular benefits was totally reduced as the result of the application of a disqualification; or

(c) His or her benefit year having ended prior to such week, he or she has insufficient wages or employment, or both, on the basis of which he or she could establish in any state a new benefit year that would include such week, or having established a new benefit year that includes such week, he or she is precluded from receiving regular benefits by reason of the provision in RCW 50.04.030 which meets the requirement of section 3304(a)(7) of the Federal Unemployment Tax Act, or the similar provision in any other state law; and

(d) (i) Has no right for such week to unemployment benefits or allowances, as the case may be, under the Railroad Unemployment Insurance Act, the Trade Expansion Act of 1962, and such other federal laws as are specified in regulations issued by the United States secretary of labor; and

(ii) Has not received and is not seeking for such week unemployment benefits under the unemployment compensation law of Canada, unless the appropriate agency finally determines that he or she is not entitled to unemployment benefits under such law for such week.

(11) "State law" means the unemployment insurance law of any state, approved by the United States secretary of labor under section 3304 of the internal revenue code of 1954.

Sec. 3. Section 7, chapter 1, Laws of 1971 and RCW 50.22.060 are each amended to read as follows:

(1) Whenever an extended benefit period is to become effective in this state (or in all states) as a result of (~~a state or national~~) an "on" indicator, or an extended benefit period is to be terminated in this state as a result of (~~state and national~~) an

"off" indicator ~~((s or solely as a result of a state "off" indicator prior to January 1, 1972))~~, the commissioner shall make an appropriate public announcement.

(2) Computations required by the provisions of RCW 50.22.010 ~~((6))~~ (4) shall be made by the commissioner, in accordance with regulations prescribed by the United States secretary of labor.

Sec. 4. Section 4, chapter 1, Laws of 1971 as amended by section 9, chapter 35, Laws of 1981 and RCW 50.22.030 are each amended to read as follows:

(1) An individual shall be eligible to receive extended benefits with respect to any week of unemployment in his or her eligibility period only if the commissioner finds with respect to such week that:

(a) The individual is an "exhaustee" as defined in RCW 50.22.010 ~~((13); and))~~;

(b) He or she has satisfied the requirements of this title for the receipt of regular benefits that are applicable to individuals claiming extended benefits, including not being subject to a disqualification for the receipt of benefits; and

(c) He or she has earned wages in the applicable base year of at least forty times his or her weekly benefit amount.

(2) An individual filing an interstate claim in any state under the interstate benefit payment plan shall not be eligible to receive extended benefits for any week beyond the first two weeks claimed for which extended benefits are payable unless an extended benefit period embracing such week is also in effect in the agent state.

Sec. 5. Section 6, chapter 1, Laws of 1971 and RCW 50.22.050 are each amended to read as follows:

(1) The total extended benefit amount payable to any eligible individual with respect to his applicable benefit year shall be the least of the following amounts:

~~((1))~~ (a) Fifty percent of the total amount of regular benefits which were payable to him under this title in his applicable benefit year;

~~((2))~~ (b) Thirteen times his weekly benefit amount which was payable to him under this title for a week of total unemployment in the applicable benefit year; or

~~((3))~~ (c) Thirty-nine times his weekly benefit amount which was payable to him under this title for a week of total unemployment in the applicable benefit year, reduced by the total amount of regular benefits which were paid (or deemed paid) to him under this title with respect to the benefit year.

(2) Notwithstanding any other provision of this chapter, if the benefit year of any eligible individual ends within an extended benefit period, the extended benefits which the individual would otherwise be entitled to receive with respect to weeks of unemployment beginning after the end of the benefit year and within the extended benefit period shall be reduced (but not below zero) by the product of the number of weeks for which the individual received any amount as a trade readjustment allowance within that benefit year, multiplied by the individual's weekly extended benefit amount.

NEW SECTION. Sec. 6. There is added to chapter 50.20 RCW a new section to read as follows:

(1) Notwithstanding any other provision of this chapter, an otherwise eligible individual shall not be denied benefits for any week because he or she is in training approved under section 236(a)(1) of the Trade Act of 1974, P.L. 93-618, nor may that individual be denied benefits for any such week by reason of leaving work which is not suitable employment to enter such training, or for failure to meet any requirement of federal or state law for any such week which relates to the individual's availability for work, active search for work, or refusal to accept work.

(2) For the purposes of this section, "suitable employment" means, with respect to an individual, work of a substantially equal or higher skill level than the individual's past adversely affected employment (as described for the purposes of the Trade

Act of 1974, P.L. 93-618), if the wages for such work are not less than eighty percent of the individual's average weekly wage as determined for the purposes of the Trade Act of 1974, P.L. 93-618.

Sec. 7. Section 124, chapter 35, Laws of 1945 and RCW 50.32.080 are each amended to read as follows:

After having acquired jurisdiction for review, the commissioner shall review the proceedings in question. Prior to rendering his decision, the commissioner may order the taking of additional evidence by an appeal tribunal to be made a part of the record in the case. Upon the basis of evidence submitted to the appeal tribunal and such additional evidence as the commissioner may order to be taken, the commissioner shall render his decision in writing affirming, modifying, or setting aside the decision of the appeal tribunal ~~((and))~~. Alternatively, the commissioner may order further proceedings to be held before the appeal tribunal, upon completion of which the appeal tribunal shall issue a decision in writing affirming, modifying, or setting aside its previous decision. The new decision may be appealed under RCW 50.32-.070. The commissioner shall mail his decision to the interested parties at their last known addresses.

NEW SECTION. Sec. 8. There is added to chapter 50.32 RCW a new section to read as follows:

The commissioner may designate certain commissioner's decisions as precedents. The commissioner's decisions designated as precedents shall be published and made available to the public by the department.

Sec. 9. Section 183, chapter 35, Laws of 1945 as amended by section 7, chapter ... (ESSB 4418), Laws of 1982 and RCW 50.40.020 are each amended and reenacted to read as follows:

Any assignment, pledge, or encumbrance of any right to benefits which are or may become due or payable under this title shall be void. Such rights to benefits shall be exempt from levy, execution, attachment, or any other remedy whatsoever provided for the collection of debts, except as provided in ~~((section 3 of this 1982 act))~~ RCW 50.40.... (section 3, chapter ... (ESSB 4418), Laws of 1982). Benefits received by any individual, so long as they are not commingled with other funds of the recipient, shall be exempt from any remedy whatsoever for collection of all debts except debts incurred for necessities furnished such individual or his spouse or dependents during the time when such individual was unemployed. Any waiver of any exemption provided for in this section shall be void.

Sec. 10. Section 3, chapter ... (ESSB 4418), Laws of 1982 and RCW 50.40... are each amended and reenacted to read as follows:

(1) An individual filing a new claim for unemployment compensation shall, at the time of filing the claim, disclose whether or not the individual owes child support obligations as defined under subsection (7) of this section. If the individual discloses that he or she owes child support obligations and is determined to be eligible for unemployment compensation, the commissioner shall notify the state or local child support enforcement agency enforcing those obligations that the individual has been determined to be eligible for unemployment compensation.

(2) The commissioner shall deduct and withhold from any unemployment compensation payable to an individual who owes child support obligations as defined under subsection (7) of this section:

(a) The amount specified by the individual to the commissioner to be deducted and withheld under this subsection, if neither (b) nor (c) of this subsection is applicable;

(b) The amount (if any) determined pursuant to an agreement submitted to the commissioner under section 454(20)(B)(i) of the Social Security Act by the state or local child support enforcement agency, unless (c) of this subsection is applicable; or

(c) Any amount otherwise required to be so deducted and withheld from such unemployment compensation pursuant to legal process, as that term is defined in section 462(e) of the Social Security Act, properly served upon the commissioner.

(3) Any amount deducted and withheld under subsection (2) of this section shall be paid by the commissioner to the appropriate state or local child support enforcement agency.

(4) Any amount deducted and withheld under subsection (2) of this section shall be treated for all purposes as if it were paid to the individual as unemployment compensation and paid by that individual to the state or local child support enforcement agency in satisfaction of the individual's child support obligations.

(5) For the purposes of this section, "unemployment compensation" means any compensation payable under this chapter including amounts payable by the commissioner under an agreement under any federal law providing for compensation, assistance, or allowances with respect to unemployment.

(6) This section applies only if appropriate arrangements have been made for reimbursement by the state or local child support enforcement agency for the administrative costs incurred by the commissioner under this section which are attributable to child support obligations being enforced by the state or local child support enforcement agency.

(7) "Child support obligations" as used in this section means only those obligations which are being enforced pursuant to a plan described in section 454 of the Social Security Act which has been approved by the secretary of health and human services under part D of Title IV of the Social Security Act.

(8) "State or local child support enforcement agency" as used in this section means any agency of this state or a political subdivision thereof operating pursuant to a plan described in subsection (7) of this section.

Sec. 11. Section 9, chapter 164, Laws of 1971 ex. sess. as last amended by section 21, chapter ... (ESSB 4418), Laws of 1982 and RCW 74.20A.090 are each amended and reenacted to read as follows:

Whenever a support lien or order to withhold and deliver is served upon any person, firm, corporation, association, political subdivision, or department of the state asserting a support debt against earnings and there is in the possession of such person, firm, corporation, association, political subdivision, or department of the state, any such earnings, RCW 7.33.280 shall not apply, but fifty percent of the disposable earnings shall be exempt and may be disbursed to the debtor whether such earnings are paid, or to be paid weekly, monthly, or at other intervals and whether there be due the debtor earnings for one week or for a longer period. The lien or order to withhold and deliver shall continue to operate and require said person, firm, corporation, association, political subdivision, or department of the state to withhold the nonexempt portion of earnings at each succeeding earnings disbursement interval until the entire amount of the support debt stated in the lien or order to withhold and deliver has been withheld. As used in this chapter, the term "earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonus, or otherwise, and, notwithstanding any other provision of law making such payments exempt from garnishment, attachment, or other process to satisfy support obligation, specifically includes periodic payments pursuant to pension or retirement programs, or insurance policies of any type, but does not include payments made under Title 50 RCW, except as provided in RCW 50.40.020 and 50.40.... (section 10 of this 1982 act) or Title 74 RCW. Earnings shall specifically include all gain derived from capital, from labor, or from both combined, not including profit gained through sale or conversion of capital assets. The term "disposable earnings" means that part of the earnings of any individual remaining after the deduction from those earnings of any amount required by law to be withheld.

NEW SECTION. Sec. 12. There is added to chapter 50.04 RCW a new section to read as follows:

The term "employment" shall not include services rendered by any person, firm, or corporation currently engaging in a business which is registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW when:

(1) Contracting to perform work for any contractor registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW;

(2) The person, firm, or corporation has a principal place of business which would be eligible for a business deduction for internal revenue service tax purposes other than that furnished by the contractor for which the business has contracted to furnish services;

(3) The person, firm, or corporation maintains a separate set of books or records that reflect all items of income and expenses of the business; and

(4) The work which the person, firm, or corporation has contracted to perform is:

(a) The work of a contractor as defined in RCW 18.27.010; or

(b) The work of installing wires or equipment to convey electric current or installing apparatus to be operated by such current as it pertains to the electrical industry as described in chapter 19.28 RCW.

Sec. 13. Section 11, chapter 35, Laws of 1945 and RCW 50.04.100 are each amended to read as follows:

"Employment", subject only to the other provisions of this title, means personal service, of whatever nature, unlimited by the relationship of master and servant as known to the common law or any other legal relationship, including service in interstate commerce, performed for wages or under any contract calling for the performance of personal services, written or oral, express or implied.

Except as provided by section 12 of this 1982 act, personal services performed for an employing unit by one or more contractors or subcontractors acting individually or as a partnership, which do not meet the provisions of RCW 50.04.140, shall be considered employment of the employing unit: PROVIDED, HOWEVER, That such contractor or subcontractor shall be an employer under the provisions of this title in respect to personal services performed by individuals for such contractor or subcontractor.

Sec. 14. Section 101, chapter 35, Laws of 1945 as last amended by section 11, chapter 190, Laws of 1979 ex. sess. and RCW 50.24.130 are each amended to read as follows:

No employing unit which contracts with or has under it any contractor or subcontractor who is an employer under the provisions of this title shall make any payment or advance to, or secure any credit for, such contractor or subcontractor or on account of any contract or contracts to which said employing unit is a party unless such contractor or subcontractor has paid contributions, due or to become due for wages paid or to be paid by such contractor or subcontractor for personal services performed pursuant to such contract or subcontract, or has furnished a good and sufficient bond acceptable to the commissioner for payment of contributions, interest, and penalties. Failure to comply with the provisions of this section shall render said employing unit directly liable for such contributions, interest, and penalties and the commissioner shall have all of the remedies of collection against said employing unit under the provisions of this title as though the services in question were performed directly for said employing unit.

For the purposes of this section, a contractor registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW shall not be responsible for any contributions for the work of any subcontractor if:

(1) The subcontractor is currently engaging in a business which is registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW;

(2) The subcontractor has a principal place of business which would be eligible for a business deduction for internal revenue service tax purposes other than that furnished by the contractor for which the business has contracted to furnish services;

(3) The subcontractor maintains a separate set of books or records that reflect all items of income and expenses of the business; and

(4) The subcontractor has contracted to perform:

(a) The work of a contractor as defined in RCW 18.27.010; or

(b) The work of installing wires or equipment to convey electric current or installing apparatus to be operated by such current as it pertains to the electrical industry as described in chapter 19.28 RCW.

Sec. 15. Section 74, chapter 35, Laws of 1945 as last amended by section 5, chapter 33, Laws of 1977 ex. sess. and RCW 50.20.060 are each amended to read as follows:

(1) An individual shall be disqualified from benefits beginning with the first day of the calendar week in which he or she has been discharged or suspended for misconduct connected with his or her work and thereafter until he or she has obtained work and earned wages of not less than the suspended weekly benefit amount in each of five calendar weeks. Alcoholism shall not constitute a defense to disqualification from benefits due to misconduct.

(2) An individual who has been discharged because of a felony or a gross misdemeanor of which he or she has been convicted, or has admitted committing to a competent authority, and which is connected with his or her work shall be disqualified from receiving any benefits for which base year credits are earned in any employment prior to the discharge. Such disqualification begins with the first day of the calendar week in which he or she has been discharged, and all benefits paid during the period the individual was disqualified shall be recoverable, notwithstanding RCW 50.20.190, 50.24.020, or any other provision of this title.

NEW SECTION. Sec. 16. There is added to chapter 50.22 RCW a new section to read as follows:

(1) Additional benefits are payable to eligible persons who are "exhaustees" with respect to extended benefits. The term "exhaustee" is deemed to have the same meaning with respect to extended benefits as with respect to regular benefits.

(2) Additional benefit amounts shall be calculated pursuant to RCW 50.22.050(1) and (2).

(3) Eligibility for additional benefits shall be determined and benefits shall be paid under the same terms and conditions as for extended benefits.

NEW SECTION. Sec. 17. There is added to chapter 50.22 RCW a new section to read as follows:

(1) Notwithstanding RCW 50.22.010(8)(a), an additional benefit period is established for weeks of unemployment which begin on or after the third Sunday following the effective date of this section: PROVIDED, That this additional benefit period will be suspended during any week in which an extended benefit period is not in effect.

(2) Additional benefits are payable to otherwise eligible persons who have exhausted extended benefits on their most recent claim after July 1, 1980.

(3) The department of employment security shall develop proposals for a permanent program of additional benefits. The proposals shall address alternatives in trigger mechanisms, benefit levels, eligibility requirements, and unemployment insurance financing.

NEW SECTION. Sec. 18. There is added to chapter 50.22 RCW a new section to read as follows:

Benefits under sections 16 and 17 of this act are not payable for weeks of unemployment beginning after June 30, 1983, unless extended by law.

NEW SECTION. Sec. 19. There is added to chapter 50.04 RCW a new section to read as follows:

The term "employment" does not include services performed in a barber shop licensed under chapter 18.15 RCW or a hairdressing or cosmetology shop licensed under chapter 18.18 RCW if:

(1) The use of the shop facilities by the individual performing the services is contingent upon compensation to the shop owner; and

(2) The individual performing the services receives no compensation or other consideration from the owner for the services performed.

NEW SECTION. Sec. 20. If any part of this act is found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is hereby declared to be inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and such finding or determination shall not affect the operation of the remainder of this act in its application to the agencies concerned. The rules under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 21. 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. 22. Sections 2, 9, 10, 11, 16, and 17 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. Section 4 of this act shall take effect on September 26, 1982."

On motion of Senator Williams, there being no objection, an amendment to the amendment to page 14, line 11 on the desk of the Secretary of the Senate was withdrawn.

Debate ensued.

POINT OF ORDER

Senator McDermott: "Mr. President, I raise the question of scope and object on this amendment.

"Mr. President, the bill as it was originally written, dealt with triggers for unemployment benefits and what we now have in this amendment are provisions, section 19 which denies coverage to barbers; sections 13 and 14 which deny coverage to subcontractors; it also has disqualifications for alcoholism. All of that expands the scope and object of the bill that was originally merely a bill dealing with the triggers for unemployment benefits. It had nothing to do with coverage."

At 8:18 p.m., there being no objection, the Senate was declared to be at ease.

The President called the Senate to order at 8:48 p.m.

RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the point of order raised by Senator McDermott, the President would like to advise the members of the Senate that in the previous ruling regarding Senate Bill 4661, the bill made various changes to the state's unemployment compensation laws, including the method by which extended benefits are calculated. However, the bill in no way dealt with the subject of elimination of unemployment coverage for certain classes of workers.

"The amendment proposed by Senator Quigg does deal with this subject.

"The President therefore finds that the proposed amendment does expand the scope and object of the bill and that the point of order is well taken."

The amendment by Senator Quigg was ruled out of order.

MOTION

At 8:50 p.m., on motion of Senator Clarke, the Senate adjourned until 10:00 a.m., Wednesday, March 17, 1982.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

SIXTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wednesday, March 17, 1982.

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 McDermott, Pullen, Sellar, Talley and Talmadge. On motion of Senator Bluechel, Senator Sellar was excused. On motion of Senator Ridder, Senators McDermott, Talley and Talmadge were excused.

The Color Guard, consisting of Pages Rena Allred and Tyler Jones, presented the Colors. Reverend Lee Forstrom, pastor of Westwood Baptist Church of Olympia, offered the prayer.

MOTION

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

MESSAGE FROM THE GOVERNOR

Office of the Governor, March 16, 1982.

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

LADIES AND GENTLEMEN:

I have the honor to advise you that on March 16, 1982 Governor Spellman approved the following Senate Bill entitled:

SUBSTITUTE SENATE BILL NO. 4708: Relating to horse racing.

SINCERELY,
MARILYN SHOWALTER
Counsel to the Governor.

MOTION

On motion of Senator Clarke, the Senate advanced to the eighth order of business.

On motion of Senator Clarke, the Committee on Rules was relieved from further consideration of the following House bills: Substitute House Bill 808, Second Substitute House Bill 828, House Bill 854, Engrossed Second Substitute House Bill 987, House Bill 1084, House Bill 1145, House Bill 1092, Substitute House Bill 268, House Bill 935, House Bill 967, House Bill 600, Engrossed Substitute House Bill 923 and Reengrossed House Bill 286.

MOTION

On motion of Senator Clarke, the rules were suspended and the House bills were placed on the second reading calendar for today.

MOTION

On motion of Senator Clarke, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

March 15, 1982.

Mr. President: The House has passed SENATE BILL NO. 4717 with the following amendments originally adopted March 11, 1982:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 4, chapter 150, Laws of 1941 as last amended by section 1, chapter 162, Laws of 1981 and RCW 40.04.040 are each amended to read as follows:

Permanent session laws shall be distributed, sold, and/or exchanged by the state law librarian as follows:

(1) Copies shall be given as follows: One to each United States senator and representative in congress from this state; ~~((six))~~ two to the Library of Congress; ~~((one to each United States executive department as defined by section 1, title 5, of the United States Code, three))~~ one to the United States supreme court library; three to the library of the circuit court of appeals of the ninth circuit; ~~((one))~~ two to each United States district court room within this state; ~~((one))~~ two to each office and branch office of the United States district attorneys in this state; one to each state official whose office is created by the Constitution; ~~((one to the judge advocate's office at Fort Lewis; one to each member of the legislature; session law indexer;))~~ two each to the president of the senate, secretary ((and assistant secretary)) of the senate, speaker of the house of representatives, and chief clerk ((and the assistant chief clerk)) of the house of representatives((; the minute clerk and sergeant-at-arms of the two branches of the legislature of the sessions of which they occupied the offices and positions mentioned, one copy each to the Olympia representatives of the Associated Press and the United Press)) and such additional copies as they may request; fourteen copies to the code reviser; two copies to the state library; two copies to the law library of the University of Puget Sound law school; two copies to the law library of Gonzaga University law school; ((and)) two copies to the law libraries of any accredited law schools as are hereafter established in this state; one copy to each state adult correctional institution; and one copy to each state mental institution.

(2) Copies, for official use only, shall be distributed as follows: ~~((One to each state department and to each division thereof; one to each state official whose office is created by the Constitution, except))~~ Two copies to the governor ((who shall receive three copies)); one each to the ((adjutant general, the)) state historical society((;)) and the state bar association((; and to each state institution; one copy for each assistant attorney general who maintains his office in the attorney general's suite, and one additional copy for his stenographer's room)); and one copy to each prosecuting attorney ((and one for each of his deputies)).

Sufficient copies shall be furnished for the use of the supreme court, the court of appeals, the superior courts, and the state law library as from time to time are needed. Eight copies shall be distributed to the University of Washington law library; one copy each to the offices of the president and the board of regents of the University of Washington, the dean of the University of Washington school of law, and to the University of Washington library; one copy to the library of each of the regional universities and to The Evergreen State College; one copy ~~((each))~~ to the president of the Washington State University and four copies to the Washington State University library. Six copies shall be sent to the King county law library, and one copy to each of the county law libraries organized pursuant to law ~~((in the counties of the first, second, and third class));~~ one copy to each public library in cities of the first class, and one copy to the municipal reference branch of the Seattle public library.

~~((At the convening of each session of the legislature the state law librarian shall deliver to the chief clerk of the house of representatives twenty copies, and to the~~

secretary of the senate, ten copies, of the laws of the preceding general session and of any intervening session for the use of the legislators during the ensuing session but which shall be returned to the state law library at the expiration of the legislative session:

It shall be the duty of each county auditor biennially to submit to the state law librarian a list of county officers, including the prosecuting attorney and his regular full-time deputies and the justices of the peace and superior court rooms regularly used by a justice of the peace or superior court judge, and the correct number of bound copies of the session laws necessary for the official use only of such officers and court rooms will be sent, transportation collect, to said county auditor who shall be responsible for the distribution thereof to the county officials entitled to receive them:))

(3) Surplus copies of the session laws shall be sold and delivered by the state law librarian, in which case the price of the bound volumes shall be twenty dollars each. All moneys received from the sale of such bound volumes of session laws shall be paid into the state treasury for the general fund.

(4) The state law librarian is authorized to exchange bound copies of the session laws for similar laws or legal materials of other states, territories, and governments, and to make such other and further distribution of the bound volumes as in his judgment seems proper.

Sec. 2. Section 5, chapter 150, Laws of 1941 as last amended by section 13, chapter 87, Laws of 1980 and RCW 40.04.090 are each amended to read as follows:

The house and senate journals shall be distributed and/or sold by the state law librarian as follows:

(1) Sets shall be distributed as follows: One set to each (~~member of the legislature~~) secretary and assistant secretary of the senate, chief clerk and assistant to the chief clerk of the house of representatives, and to each minute clerk and sergeant-at-arms of the two branches of the legislature of which they occupy the offices and positions mentioned. One to each official whose office is created by the Constitution, and one to each state department director; three copies to the University of Washington law library; two copies to the University of Washington library; one to the King county law library; one to the Washington State University library; one to the library of each of the regional universities and to The Evergreen State College; one to the law library of Gonzaga University law school; one to the law library of the University of Puget Sound law school; one to the law libraries of any accredited law school as hereafter established in this state; and one to each free public library in the state which requests it.

(2) (~~A set of the~~) House and senate journals of the preceding regular session during an odd- or even-numbered year, and of any intervening special session, shall be placed (on the desk of each legislator for his use during the ensuing session, which shall be returned to the state law library at the expiration of the legislative session) in the house and senate chambers for use of legislators as directed by the chief clerk of the house of representatives and secretary of the senate; and sufficient sets shall be retained for the use of the state law library.

(3) Surplus sets of the house and senate journals shall be sold and delivered by the state law librarian, in which case the price shall be (~~fifteen~~) thirty-five dollars plus postage for those of the regular sessions during an odd- or even-numbered year, and (~~ten dollars~~) at a price determined by the state printer to cover the costs of paper, printing, binding and postage for those of the special sessions, when separately bound, and the proceeds therefrom shall be paid to the state treasurer for the general fund.

(4) The state law librarian is authorized to exchange copies of the house and senate journals for similar journals of other states, territories, and/or governments,

or for other legal materials, and to make such other and further distribution of them as in his judgment seems proper.

Sec. 3. Section 3, chapter 136, Laws of 1907 as last amended by section 2, chapter 6, Laws of 1969 and RCW 44.20.030 are each amended to read as follows:

The statute law committee, after each and every legislative session, whether regular or extraordinary, shall cause to be reproduced or printed for temporary use ~~((four thousand copies))~~ separate copies of each act filed in the office of secretary of state within ten days after the filing thereof ~~(, and in the order of its chapter number))~~.

The committee shall cause to be reproduced or printed three thousand copies or such additional number as may be necessary of temporary bound sets of all acts filed in the office of secretary of state within seventy-five days after the final adjournment of the legislature for that year.

Sec. 4. Section 5, chapter 136, Laws of 1907 as last amended by section 4, chapter 6, Laws of 1969 and RCW 44.20.050 are each amended to read as follows:

When all of the acts of any session of the legislature and initiative measures enacted by the people since the next preceding session have been certified to the statute law committee, the code reviser employed by the statute law committee shall make the proper headings and index of such acts or laws and, after such work has been completed, the statute law committee shall have published and bound in good buckram at least ~~((two thousand))~~ six hundred copies or such additional copies as may be necessary of such acts and laws, with such headings and indexes, and such other matter as may be deemed essential, including a title page showing the session at which such acts were passed, the date of convening and adjournment of the session, and any other matter deemed proper, including a certificate by the secretary of state of such referendum measures as may have been enacted by the people since the next preceding session.

NEW SECTION. Sec. 5. There is added to chapter 40.04 RCW a new section to read as follows:

The statute law committee, after each legislative session, shall furnish one temporary bound copy of each act as published under chapter 44.20 RCW to each member of the legislature at which such law was enacted, and to each state department or division thereof, commission, committee, board, and council, and to community colleges. Thirty-five copies shall be furnished to the senate and fifty copies to the house of representatives or such other number as may be requested. Two copies shall be furnished the administrator for the courts. One copy shall be furnished for each assistant attorney general; and one copy each to the Olympia representatives of the Associated Press and the United Press.

Each county auditor shall submit each year to the statute law committee a list of county officials requiring temporary session laws for official use only, and the auditor shall receive and distribute such copies to the county officials.

There shall be a charge of five dollars for each of the complete sets of such temporary publications when delivered to any person, firm, corporation, or institution excepting the persons and institutions named in this section. All moneys received from the sale of such temporary sets shall be transmitted to the state treasurer who shall deposit the same in the state treasury to the credit of the general fund.

NEW SECTION. Sec. 6. Section 4, chapter 136, Laws of 1907, section 2, chapter 27, Laws of 1933, section 2, chapter 31, Laws of 1933 ex. sess., section 3, chapter 6, Laws of 1969, section 2, chapter 162, Laws of 1981 and RCW 44.20.040 are each hereby repealed."

On page 1, line 1 of the title, after "publications;" strike the remainder of the title and insert "amending section 4, chapter 150, Laws of 1941 as last amended by section 1, chapter 162, Laws of 1981 and RCW 40.04.040; amending section 5,

chapter 150, Laws of 1941 as last amended by section 13, chapter 87, Laws of 1980 and RCW 40.04.090; amending section 3, chapter 136, Laws of 1907 as last amended by section 2, chapter 6, Laws of 1969 and RCW 44.20.030; amending section 5, chapter 136, Laws of 1907 as last amended by section 4, chapter 6, Laws of 1969 and RCW 44.20.050; adding a new section to chapter 40.04 RCW; and repealing section 4, chapter 136, Laws of 1907, section 2, chapter 27, Laws of 1933, section 2, chapter 31, Laws of 1933 ex. sess., section 3, chapter 6, Laws of 1969, section 2, chapter 162, Laws of 1981 and RCW 44.20.040.", and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Lee, the Senate refused to concur in the House amendments to Senate Bill No. 4717 and asks the House to recede therefrom.

PERSONAL PRIVILEGE

Senator Hurley: "Mr. President, I would like to speak on a point of personal privilege.

"Since this is March 17th, St. Patrick's day, and the birthday of my oldest son, I want to wish everybody a very happy St. Patrick's day.

"A number of years ago I made a vist to Ireland and although it was off season and there weren't any of the fun places that were open, the people said, 'Oh, come back in June or July,' which, of course, just isn't all that easy from the state of Washington.

"But when I returned, I wrote a poem and although the House has heard it, because I think I read it in about 1977, I would like to read it for you today. It just sort of starts the spirit out for a happy St. Patrick's day.

"And I call it 'Ode to St. Patrick' or 'Keep Washington Green.'

"'Twas on the 17th of March
In a year so long ago
St. Patrick came to Ireland
And he made the shamrocks grow.

Then he beckoned to the serpents
That crawled o'er hill and lea
And they followed dear St. Patrick
'Til he drowned them in the sea.

'Twas then he looked around him
Seeing boulders everywhere.
And he piled them into fences
So they could grow potatoes there.

Then God sent down a paint brush,
The biggest ever seen.
And St. Patrick took it in his hand
And painted Ireland green.

The folks forgot their hunger,
Their sorrows fled away.
And all they've done is sing and dance
Until this very day.

So let's all beg dear St. Patrick
To hold that paint brush in his hand
To help us keep our state as green

As he did that Emerald Land."

PERSONAL PRIVILEGE

Senator Hughes: "I haven't had a son born on St. Patrick's day but the chances are 50/50 I will today, so I am, on the basis of that possibility, I would like to speak today.

"Last week when the Counsel General of Ireland was here, I had a lovely conversation with Mrs. Doran and she reminded me of many of the very positive and some of the tragic things involved in the history of Ireland. I promise that I won't make a long-winded speech like last year.

"But I would like to read the final epitaph of Robert Emmet, with the permission of the Senate. It will only take about three or four minutes. It is the final words that Mr. Emmet spoke as he was executed on the dock in Dublin in the 1820s.

"Robert Emmet was eighteen years of age and he was executed as a spy against the crown of England. His words, I think, speak very well, not only of Irish patriotism, but I think of patriotism throughout the world, and I think many Americans can reflect on this. So with the permission of the Senate, I would like to read it.

"Let no man dare, when I am dead, to charge me with dishonor. Let no man attain my memory by believing that I could have engaged in any cause but that of my country's liberty and independence; or that I could have become the pliant minion of power in the oppression and misery of my countrymen. The proclamation of the Provincial Government speaks my view, no inference can be tortured from it to countenance barbarity or debasement at home, or objection, humiliation or treachery from abroad.

"I would not have submitted to a foreign oppressor for the same reason that I would resist the domestic tyrant.

"In the dignity of freedom, I would have fought upon the threshold of my country, and its enemies should only enter by passing over my lifeless corpse.

"And am I who lived but for my country, who have subjected myself to the dangers of the jealous and watchful oppressor, and now the bondage of the grave, only to give my countrymen their rights and my country, her independence — am I to be loaded with calumny and not suffer to resent it? No; God forbid!

"At this point the British minister turned to Mr. Emmet and said, 'That's all fine and dandy, but you have disgraced your family,' particularly his father who was a very prominent statesman in Irish history.

"Emmet goes on 'If the spirits of the illustrious dead participate in the concerns and cares of those who were dear to them in this transitory life, O! ever dear and venerated shade of my departed father, look down with scrutiny upon the conduct of your suffering son, and see if I have, even for a moment, deviated from those principles of morality and patriotism which it was your care to instill into my youthful mind, and for which I am now about to offer my life.

"My Lords, you seem impatient for the sacrifice. The blood for which you thirst is not congealed by the artificial terrors which surround your victim. It circulates warmly and unruffled through the channels which God created for noble purposes, but which you are now bent to destroy, for purposes so grievous that they cry to Heaven.

"Be yet patient! I have but a few more words to say. I am going to my cold silent grave; my lamp of life is nearly extinguished; my race is run; the grave is open to receive me, and I sink into its bosom. I have but one request to ask at my departure from this world; it is the clarity of its silence. Let no man write my epitaph; for as no man who knows my motives dare now vindicate them, let them and me rest in obscurity and peace, and my name remain unscribed until other times and other men can do justice to my character.

"When my country takes her place among the nations of the earth, then, and not until then, let my epitaph be written."

"Now that's a more serious vein, but we couldn't end St. Patrick's day on that serious a note, so I would like to talk a little bit about the subtlety and the sensitivity of the Irish, who are sometimes accused of not being the most sensitive of people.

"And I want to give you a quote of one Irishman, apparently, to a maiden as he asked for her hand in marriage, and I think this is as about a romantic proposal as I have ever hear, and it goes, 'Would you like to be buried with my people?'

"Now I would like to continue with one other to show that the Irish have a deep sense of humor, (some of you are beginning to get that now, I'll repeat it later). Another one deals with how the Irish handle bad publicity and one Irish politician was to have said to another, 'There's no real bad publicity except the final obituary,' and with that, I wish you all a happy St. Patrick's Day."

MESSAGE FROM THE HOUSE

March 16, 1982.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 3946 with the following amendments originally adopted March 5, 1982:

On page 2, line 35, after "PROVIDED" insert:

"HOWEVER, That such aircraft fuel excise tax shall not apply to fuel for aircraft that both operate from a private, non-state-funded airfield during at least ninety-five percent of the aircraft's normal use and are used principally for the application of pesticides, herbicides, or other agricultural chemicals: PROVIDED FURTHER,"

On page 3, line 27, after "June 30," strike "1981" and insert "1982."

On page 4, beginning on line 1, strike all material down through line 10 and insert "supplemental air carrier (operating under) who has obtained a certificate of public convenience and necessity under the provisions of the Federal Aviation Act of 1958, Public Law 85-726, as amended; (2) the delivery of aircraft by the manufacturer of such aircraft to an air carrier or supplemental air carrier who, at the moment of delivery, has a valid certificate of public convenience and necessity under the provisions of the Federal Aviation Act of 1958, Public Law 85-726, as amended; (3) the operation of aircraft for testing or experimental purposes, including the operation of aircraft in the testing or experimentation of any other aircraft; (~~and (3))~~ (4) the operation of aircraft when such operation is for the training of crews for (~~purchasers of aircraft~~) certificated air carriers; and (5) the operation of aircraft in the operations of a local service commuter: PROVIDED, That the director's determination as to a particular activity for which aircraft fuel is used as being an exemption under this section, or otherwise, shall be final.", and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Patterson, the Senate refused to concur in the House amendments to Substitute Senate Bill No. 3946 and asks the House to recede therefrom.

MOTION

On motion of Senator Clarke, the Senate resumed consideration of the House Message on Engrossed Senate Bill No. 3242. On March 16, 1982, the House Message was read. Senator Gaspard raised a Point of Order on the House amendments to Engrossed Senate Bill No. 3242.

RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the Point of Order raised by Senator Gaspard, the President finds that Senate Bill No. 3242 is a measure which makes revisions of a procedural nature to the law relating to educational service districts.

"The amendment proposed by the House of Representatives, while incorporating the provisions of Senate Bill No. 3242 also makes major changes in the areas of school district bonding authority and school year schedule, which could institute a pilot program for a four-day school week.

"The President therefore finds that the proposed amendment does expand the scope and object of the bill and that the Point of Order is well taken.

"Pursuant to Senate Rule 72, Senate Bill No. 3242 is referred to the Committee on Education."

MESSAGE FROM THE HOUSE

March 16, 1982.

Mr. President: The House has passed SUBSTITUTE SENATE BILL NO. 4153 with the following amendments originally adopted March 10, 1982:

On page 2, after line 24, insert new sections to read as follows:

NEW SECTION. Sec. 2 . There is added to chapter 46.61 RCW a new section to read as follows:

(a) Any vehicle being driven by, or under the control of a person at the time of a violation of RCW 46.61.502 or 46.61.504 for which the person is later convicted, is subject to the provisions of this section.

(b) Except as provided in subsections (c) and (d), such vehicles are subject to seizure by and forfeiture to the law enforcement agency which made the arrest which resulted in the conviction.

(c) No vehicle is subject to forfeiture under this section if the owner of the vehicle did not knowingly consent to the violation.

(d) A forfeiture of a vehicle encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party did not knowingly consent to the violation.

(e) A vehicle subject to forfeiture under this chapter may be seized by any law enforcement officer of this state upon process issued by any superior court having jurisdiction over the property. Seizure without process may be made if the seizure is incident to an arrest for a violation of RCW 46.61.502 or 46.61.504.

(f) In the event of seizure pursuant to subsection (e), proceedings for forfeiture shall be deemed commenced by the seizure. The law enforcement agency under whose authority the seizure was made shall cause notice to be served within fifteen days following the seizure on the owner of the vehicle seized and the person in charge thereof and any person having any known right of interest therein, of the seizure and intended forfeiture of the seized vehicle. The notice may be served by any method authorized by law or court rule including but not limited to service by certified mail with return receipt requested. Service by mail shall be deemed complete upon mailing within the fifteen day period following the seizure.

(g) If no person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of the vehicle within forty-five days of the seizure, the vehicle seized shall be deemed forfeited.

(h) If any person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of the vehicle within forty-five days of the seizure, the person or persons shall be afforded a reasonable opportunity to be heard as to the claim or right. The hearing shall be before the chief law enforcement officer of the seizing agency or the chief law enforcement officer's designee, or an administrative law judge if required by chapter 34.12 RCW, except that

any person asserting a claim or right may remove the matter to a court of competent jurisdiction if the value of the vehicle involved is more than five hundred dollars. A hearing before the seizing agency and any appeal therefrom shall be under chapter 34.04 RCW. In a court hearing between two or more claimants to the vehicle involved, the prevailing party shall be entitled to a judgment for costs and reasonable attorney's fees. The burden of producing evidence shall be upon the person claiming to be the lawful owner or the person claiming to have the lawful right to possession of the vehicle. The seizing law enforcement agency shall promptly return the vehicle to the claimant upon a determination by the hearing officer or court that the claimant is the present lawful owner or is lawfully entitled to possession.

(i) When a vehicle is forfeited under this chapter the seizing law enforcement agency may retain it for official use or sell it.

NEW SECTION. Sec. 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

On page 1, line 1 of the title, strike "and"

On page 1, line 3 of the title, after "RCW 46.20.391" insert "; and adding a new section to chapter 46.61 RCW"

On page 2, after line 24, insert the following:

"Sec. 2. Section 11, chapter 117, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 215, Laws of 1979 ex. sess. and RCW 10.77.110 are each amended to read as follows:

If a defendant is acquitted of a felony by reason of insanity, and it is found that he is not a substantial danger to other persons, or does not present a substantial likelihood of committing felonious acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions, the court shall direct his final discharge. If it is found that such defendant is a substantial danger to ~~((himself or others and in need of))~~ other persons, or presents a substantial likelihood of committing felonious acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions, the court shall order his hospitalization, or any appropriate alternative treatment less restrictive than detention in a state mental hospital, pursuant to the terms of this chapter. If it is found that such defendant is not a substantial danger to other persons, or does not present a substantial likelihood of committing felonious acts jeopardizing public safety or security, but that he is in need of control by the court or other persons or institutions, the court shall direct his conditional release. If the defendant is acquitted by reason of insanity of a crime which is not a felony, the court shall order the defendant's release or order the defendant's continued custody only for a reasonable time to allow the county-designated mental-health professional to evaluate the individual and to proceed with civil commitment pursuant to chapter 71.05 RCW, if considered appropriate."

On page 1, on line 1 of the title, after "punishments;" strike "and" and on line 3 after "46.20.391" insert "; and amending section 11, chapter 117, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 215, Laws of 1979 ex. sess. and RCW 10.77.110", and the same are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Hemstad, the Senate refused to concur in the House amendments to Substitute Senate Bill No. 4153 and asks the House to recede therefrom.

MESSAGE FROM THE HOUSE

March 16, 1982.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 4748 with the following amendments originally adopted March 5, 1982:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to chapter 66.28 RCW a new section to read as follows:

A brewery, winery, or wholesaler may, without charge, instruct licensees and their employees, or conduct courses of instruction for licensees and their employees, on the subject of beer or wine, including but not limited to, the history, nature, values, and characteristics of beer or wine, the use of wine lists, and the methods of presenting, serving, storing, and handling beer or wine. The brewery, winery, or wholesaler may furnish beer or wine and such other equipment, materials, and utensils as may be required for use in connection with the instruction or courses of instruction. The instruction or courses of instruction may be given at the premises of the brewery, winery, or wholesaler, at the premises of a retail licensee, or elsewhere.

Sec. 2. Section 30, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 182, Laws of 1981 and RCW 66.28.040 are each amended to read as follows:

No brewer, wholesaler, distiller, winery, importer, rectifier, or other manufacturer of liquor shall, within the state, by himself, his clerk, servant, or agent, give to any person any liquor; but nothing in this section nor in RCW 66.28.010 or 66.28.025 shall prevent a brewer, wholesaler, winery, or importer from furnishing samples of beer or wine to authorized licensees for the purpose of negotiating a sale, in accordance with regulations adopted by the liquor control board, provided that the samples are subject to taxes imposed by RCW 66.24.290 and 66.24.210; nothing in this section shall prevent the furnishing of samples of liquor to the board for the purpose of negotiating the sale of liquor to the state liquor control board; nothing in this section shall prevent a brewery, winery, or wholesaler from furnishing beer or wine for instructional purposes under section 1 of this 1982 act; nothing in this section shall prevent a winery or wholesaler from furnishing wine without charge to a not-for-profit group organized and operated solely for the purpose of enology or the study of viticulture which has been in existence for at least six months and any wine so furnished shall be used solely for such educational purposes, provided that the wine furnished shall be subject to the taxes imposed by RCW 66.24.210; nothing in this section shall prevent a brewer from serving beer without charge, on the brewery premises; and nothing in this section shall prevent a domestic winery from serving wine without charge, on the winery premises."

Sec. 3. Section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 219, Laws of 1977 ex. sess. and RCW 66.28.010 are each amended to read as follows:

No manufacturer, importer, or wholesaler, or person financially interested, directly or indirectly, in such business, whether resident or nonresident, shall have any financial interest, direct or indirect, in any licensed retail business, nor shall any manufacturer, importer, or wholesaler own any of the property upon which such licensed persons conduct their business, nor shall any such licensed person, under any arrangement whatsoever, conduct his business upon property in which any manufacturer, importer, or wholesaler has any interest, nor shall any manufacturer, importer, or wholesaler advance moneys or moneys' worth to any such licensed person under any arrangement whatsoever, nor shall any such licensed person receive, under any arrangement whatsoever, any such advance of moneys or moneys' worth. No manufacturer, importer, or wholesaler shall be eligible to receive or hold a retail license under this title, nor shall such manufacturer, importer, or wholesaler sell at retail any liquor as herein defined: PROVIDED, That nothing in this section shall

prohibit a licensed brewer or domestic winery from being licensed as a retailer pursuant to chapter 66.24 RCW for the purpose of selling beer or wine of its own production at retail on the brewery or winery premises. Such beer and wine so sold at retail shall be subject to the taxes imposed by RCW 66.24.290 and 66.24.210 and to reporting and bonding requirements as prescribed by regulations adopted by the board pursuant to chapter 34.04 RCW: **PROVIDED FURTHER**, That nothing in this section shall prohibit a licensed brewer or domestic winery, or a lessee of a licensed brewer or domestic winery, from being licensed as a class H restaurant pursuant to chapter 66.24 RCW for the purpose of selling liquor at a class H premise on the property on which the primary manufacturing facility of the licensed brewer or domestic winery is located or on contiguous property owned by the licensed brewer or domestic winery as prescribed by regulations adopted by the board pursuant to chapter 34.04 RCW ((-)): **PROVIDED FURTHER**, That nothing in this section shall prohibit an importer, or wholesaler not licensed in this state, or any person financially interested, directly or indirectly, in such importing or wholesaling business from having a financial interest, direct or indirect, in any class A licensed retail business or from owning any of the property upon which such licensed retailer conducts its business as long as the class A licensed retailer does not sell any brand of beer sold or distributed by such importer or wholesaler or produced by such manufacturer doing business with the importer or wholesaler as prescribed by rules adopted by the board under chapter 34.04 RCW.

Financial interest, direct or indirect, as used in this section, shall include any interest, whether by stock ownership, mortgage, lien, or through interlocking directors, or otherwise. Pursuant to rules promulgated by the board in accordance with chapter 34.04 RCW manufacturers, wholesalers and importers may perform, and retailers may accept the service of building, rotating and restocking case displays and stock room inventories; rotating and rearranging can and bottle displays of their own products; provide point of sale material and brand signs; price case goods of their own brands; and perform such similar normal business services as the board may by regulation prescribe."

Renumber the remaining sections consecutively.

On page 1, line 1 of the title, after "amending" insert the following:

"section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 219, Laws of 1977 ex. sess. and RCW 66.28.010; amending", and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Benitz, the Senate concurred in the House amendments with the exception of the amendment to page 3, section 3 and asks the House to recede therefrom.

MOTIONS

On motion of Senator Clarke, the Senate advanced to the sixth order of business.

On motion of Senator Clarke, Engrossed Senate Bill No. 4661 was ordered held for consideration on March 18, 1982.

SECOND READING

SENATE BILL NO. 3783, by Senators Craswell, Jones and Scott:

Authorizing physical revaluation of property every six years if statistical adjustments are made.

MOTIONS

On motion of Senator Scott, Substitute Senate Bill No. 3783 was substituted for Senate Bill No. 3783 and the substitute bill was placed on second reading and read the second time in full.

Senator Hansen moved adoption of the following amendment:

On page 2, after line 22, insert:

"If the property owner believes that the valuation of the property as listed by the assessor is not the current true and fair value of the property, the owner may authorize a public auction pursuant to chapter 6.24 RCW of such property. Such auction shall occur two weeks following the receipt of the assessment by the owner. If, at the time of the auction, the selling price of the property is less than the valuation as listed by the assessor, the county shall be liable to the owner prior to the auction for the difference."

Debate ensued.

Senator Hansen demanded a roll call and the demand was sustained.

Senator Deccio moved adoption of the following amendment to the amendment by Senator Hansen:

On line 7 of the amendment, strike "two" and insert "six"

MOTION

On motion of Senator Clarke, Substitute Senate Bill No. 3783, together with the pending amendment by Senator Hansen and the amendment to the amendment by Senator Deccio, was ordered held for consideration on March 18, 1982.

SECOND READING

SENATE BILL NO. 4285, by Senator Deccio:

Relating to social and health services.

MOTIONS

On motion of Senator Deccio, Substitute Senate Bill No. 4285 was substituted for Senate Bill No. 4285 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Deccio, the following amendment by Senators McDermott and Deccio was adopted:

On page 7, after line 29, insert the following:

"NEW SECTION. Sec. 3. There is added to chapter 74.09 RCW a new section to read as follows:

A nursing home shall not bill the department for service provided to a recipient until an award letter of eligibility of such recipient pursuant to rules established under this chapter 74.09 RCW has been received by the nursing home. However, a nursing home may bill and shall be reimbursed for all medical care recipients referred to the nursing home by the department prior to the receipt of the award letter of eligibility or the denial of such eligibility."

Renumber the sections consecutively.

Senator Quigg moved adoption of the following amendment by Senators Quigg, Vognild, von Reichbauer, Moore, Talmadge, Gaspard and Kiskaddon:

On page 7, after line 29, insert a new section to read as follows:

"Sec. 3. Section 5, chapter 30, Laws of 1967 ex.sess., as last amended by section 21, chapter 6, Laws of 1981 1st ex.sess., and RCW 74.09.520 are each amended to read as follows:

The term "medical assistance" may include the following care and services: (1) Inpatient hospital services; (2) outpatient hospital services; (3) other laboratory and

x-ray services; (4) skilled nursing home services; (5) physicians' services, which shall include prescribed medication and instruction on birth control devices; (6) medical care, or any other type of remedial care as may be established by the secretary; (7) home health care services; (8) private duty nursing services; (9) dental services; (10) physical therapy and related services; (11) prescribed drugs, dentures, and prosthetic devices; and eyeglasses prescribed by a physician skilled in diseases of the eye or by an optometrist, whichever the individual may select; (12) other diagnostic, screening, preventive, and rehabilitative services: PROVIDED, That the department may not cut off any prescription medications, oxygen supplies, respiratory services, or other life-sustaining medical services or supplies.

"Medical assistance," notwithstanding any other provision of law, shall not include routine foot care, (~~chiropractic~~) or dental services delivered by any health care provider, that are not mandated by Title XIX of the social security act."

POINT OF INQUIRY

Senator Charnley: "Senator Quigg, I wondered if you could explain to me why, if this is a good idea, and I am listening very carefully to the debate here, we don't clean that whole thing up and also remove the words 'foot care' and 'dental services.' Why don't we just make the sentence read 'Medical assistance notwithstanding any provisional loss shall not include services that are not mandated by Title 19 of the social security act'?"

Senator Quigg: "Are you proposing that we . . ."

Senator Charnley: "I am asking before I propose. I would like to know why we are taking the one out but leaving the other exclusions in."

Senator Quigg: "The matter of chiropractic care is one that has been brought to my attention by people from my district, Senator, and so with that kind of a concern coming from those folks, that is the emphasis for the amendment. I hadn't heard from the folks on the matter of the others that you are discussing."

Senator Charnley moved adoption of the following amendment to the amendment by Senator Quigg and others:

In the last paragraph of the amendment, on the second line, following "include" strike "routine foot care, or dental"

Debate ensued.

POINT OF ORDER

Senator Hayner: "Mr. President, I raise the question of scope and object on this amendment and I would like to speak to it, please."

"This refers only to the deductible. The bill itself refers only to a change in the deductible amount for a person who is medically indigent and is eligible for Federal aid program. And the amendment before us is an entirely different concept and it adds a new section to this bill. I think it is beyond the scope and object, and the purpose of this bill is a very important and laudable one which must be taken care of if we are going to save some of our hospitals. And I think by adding this amendment it could be in jeopardy."

MOTIONS

On motion of Senator Charnley, the amendment to the amendment was withdrawn.

On motion of Senator Clarke, Substitute Senate Bill No. 4285, together with the pending amendment by Senators Quigg and others, and the Point of Order raised by Senator Hayner, was ordered held for a Ruling by the President during the afternoon session today.

SECOND READING

SENATE BILL NO. 4841, by Senator Bluechel:
Relating to winter recreation.

MOTIONS

On motion of Senator Bluechel, Substitute Senate Bill No. 4841 was substituted for Senate Bill No. 4841 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Bluechel, the rules were suspended, Substitute Senate Bill No. 4841 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 McCaslin: "Senator Bluechel, I am concerned about the state becoming more involved in winter recreation as far as using state funds. I don't object to property being made available to private enterprise to increase the private sector and to offer business opportunities throughout the state.

"Does this bill, 4841, allow the state to become more involved, that it will cost the taxpayers more money, or will this open opportunities for private enterprise?"

Senator Bluechel: "Senator McCaslin, as I mentioned in my statement, 98.6% of all land above 3,000-foot elevation in this state is owned by the federal government. The intent of the bill is to trade what are called 'base areas,' forty to one hundred acres at each potential or existing ski area site, from the federal land to the state land. At that point, the state's involvement would be to provide a management base because they would own the land to invite private enterprise to come in and expand existing areas and to establish new areas.

"Presently there is no way this can be done. The state should not be involved in any cost; as a matter of fact, the whole intent and purpose of the bill is to allow for substantial expansion of winter resources in the state with the total cost being borne by private enterprise.

"The issue of the money involved here is simply to set up the commission which would set up the mechanism to make the trade."

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 4841 and the bill passed the Senate by the following vote: Yeas, 25; nays, 17; absent or not voting, 4; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Charnley, Clarke, Craswell, Fleming, Fuller, Gallagher, Gaspard, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Moore, Patterson, Scott, Woody—25.

Voting nay: Senators Conner, Goltz, Hughes, Hurley, Lysen, Newhouse, Peterson, Pullen, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn—17.

Absent or not voting: Senators Bottiger, Deccio, Quigg, Zimmerman—4.

Excused: Senators McDermott, Sellar, Talley—3.

SUBSTITUTE SENATE BILL NO. 4841, having received the 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 Clarke, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

March 15, 1982.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 3916 with the following amendments originally adopted March 11, 1982:

On page 2, line 10, after "thereto" and before the period, insert ", and maintaining and promoting the economic vitality of the state"

On page 8, after line 36, insert the following:

"Sec. 3. Section 8, chapter 185, Laws of 1973 1st ex. sess. as amended by section 6, chapter 54, Laws of 1977 and RCW 90.62.080 are each amended to read as follows:

(1) Any person aggrieved by any final decision of a state agency, as defined in RCW 90.62.020(8) as now or hereafter amended, contained in the document issued by the department pursuant to RCW 90.62.060(6) may obtain review thereof by filing a request, with the board, within thirty days of the transmittal under RCW 90.62.060(6) by the department of ecology of the document, for all final decisions other than a final decision relating to the granting or denial of a substantial development permit pursuant to RCW 90.58.140 in which case the filing of such request shall be with the shorelines hearings board. Except as provided in subsection (6) of this section, the board shall review all final decisions other than a final decision on a substantial development permit which shall be reviewed by the shorelines hearings board. In the event a request for review includes a final decision involving a substantial development permit and other permits, there shall be single staged hearing of the permits by the boards. The board shall be authorized to adopt rules and regulations implementing such staged hearings and the filing of requests so as to eliminate all unnecessary duplication.

(2) Any hearing held pursuant to this section by the pollution control hearings board or the shorelines hearings board or by the boards jointly shall be a de novo quasi judicial hearing and shall be conducted pursuant to the procedures provided in chapter 34.04 RCW.

(3) The board or boards shall make written findings of fact based upon a preponderance of the evidence and shall prepare written conclusions of law and an order, which order may affirm with or without condition, remand for further proceedings, or reverse the appealed decision in accordance with the findings and conclusions.

(4) Judicial review of decisions of the boards shall be controlled by RCW 43.21B.180 through 43.21B.200 except as they relate to decisions pertaining to substantial development permits under RCW 90.58.140 which shall be controlled by RCW 90.58.180.

(5) (a) Any person aggrieved by and desiring to appeal any final decision of a local government contained in the document issued by the department pursuant to RCW 90.62.060(6) as now or hereafter amended shall obtain review thereof in the same manner as would apply had the local government not utilized the procedures provided by this chapter.

(b) The provisions of subsection (5)(a) of this section shall not apply to a decision concerning any permit required by a "state agency" as that term is defined in RCW 90.62.020(8) as now or hereafter amended.

(6) The board shall keep a record of all appeals of amendments or revisions to shoreline master programs that have been reviewed by the shorelines hearings board. If a request for review of a final decision of a state agency is filed for a proposed

project or activity that would be constructed or conducted within the area of land or water governed by such an amendment or revision, the board shall relinquish jurisdiction to the shorelines hearings board which shall review the request. For the purposes of this section, the phrase "area of land or water" applies, but is not limited to applying, to marine lands or waters lying not more than six hundred feet seaward from the line of ordinary high tide of lands that are governed by such a revision or amendment and are adjacent to tidal saltwater."

In line 3 of the title, strike "and"

In line 5 of the title, after "90.58.030" and before the period, insert "; and amending section 8, chapter 185, Laws of 1973 1st ex. sess. as amended by section 6, chapter 54, Laws of 1977 and RCW 90.62.080"

On page 8, after line 36, insert the following:

"NEW SECTION. Sec. 3. There is added to chapter 90.58 RCW a new section to read as follows:

Any person aggrieved by a final decision of the department made within one year prior to the effective date of this act, that rejected, conditionally approved, or approved proposed adjustments to a local government master program may seek review by the shorelines hearings board of such decision by filing a request for the same with the board if a request for review is filed within thirty days after the effective date of this act. The review by the shorelines hearings board shall be considered a contested case under chapter 34.04 RCW. The shorelines hearings board shall consider if the proposed adjustment is consistent with the policies of chapter 90.58 RCW in accordance with that chapter as now or hereafter amended, and shall specifically include the contemplation of maintaining and promoting the economic vitality of the state.

NEW SECTION. Sec. 4. There is added to chapter 90.58 RCW a new section to read as follows:

Any adjustment to its master program made after the effective date of this act, by a local government shall become effective sixty days after its adoption without approval by the department, except when an appeal is filed as hereinafter provided. An adjustment may only be adopted by the local government if, prior to its adoption, a public hearing was held on the proposal. At least three weeks prior to this hearing the local government proposing to adjust its master program shall provide written notification of the proposal to the department. The department, as the primary state agency responsible for the administration of this chapter, shall both notify other affected state agencies of the proposal and provide advice and counsel to the local government proposing the adjustments. After a local government adopts an adjustment to its master program, it shall immediately send a copy of its adjustment to the department. The department shall send copies of the adjustment to any state agency which may have an interest in the adjustment.

During this sixty-day period any state agency or any aggrieved person may appeal such adjustment to the shorelines hearings board as not being consistent with the policy of RCW 90.58.020. Review by the hearings board shall be considered a contested case under chapter 34.04 RCW, except that an appeal to the superior court from a final decision of the hearings board shall only be made to the superior court of the county within whose boundaries the land subject to the proposed adjustment is primarily located, and venue for any such action shall lie in that county. The review by the hearings board shall be heard within the county where the land subject to the proposed adjustment is primarily located. The board, after full consideration of the presentations of the local government and the aggrieved party or agency, shall make a balanced determination of the validity of the local government's ordinance in light of the policies and standards for implementation set forth in the act.

NEW SECTION. Sec. 5. There is added to chapter 90.58 RCW a new section to read as follows:

Any person aggrieved by a final decision of the shorelines hearings board under sections 3 or 4 of this act may, within thirty days of that decision, seek judicial review thereof by filing a petition in the superior court of the county within whose boundaries the land subject to the proposed adjustments is located.

NEW SECTION. Sec. 6. There is added to chapter 90.58 RCW a new section to read as follows:

If the hearing required to be held by a local government seeking to adjust its master program is conducted as a contested case under chapter 34.04 RCW and a record is made of that hearing, the shorelines hearings board shall be confined to a review of that record. In any other circumstance, the shorelines hearings board may conduct a de novo hearing on the local government adjustment and may conduct the hearing as a contested case under chapter 34.04 RCW.

Sec. 7. Section 15, chapter 234, Laws of 1959 as last amended by section 2, chapter 64, Laws of 1981 and RCW 34.04.150 are each amended to read as follows:

This chapter shall not apply to the state militia, or the board of prison terms and paroles, or any institution of higher education as defined in RCW 28B.19.020. The provisions of RCW 34.04.090 through 34.04.130 shall not apply to the board of industrial insurance appeals or the board of tax appeals unless an election is made pursuant to RCW 82.03.140 or 82.03.190. The provisions of RCW 34.04.090 through 34.04.130 and the provisions of RCW 34.04.170 shall not apply to the denial, suspension, or revocation of a driver's license by the department of licensing. To the extent they are inconsistent with RCW 80.50.140, the provisions of RCW 34.04.130, 34.04.133, and 34.04.140 shall not apply to review of decisions made under RCW 80.50.100. To the extent they are inconsistent with sections 3, 4, and 5 of this 1982 act: (1) RCW 34.04.090, 34.04.100, and 34.04.105 do not apply to the review by the shorelines hearings board of proposed adjustments to a local government master program; and (2) RCW 34.04.130 does not apply to the superior court where review of a final decision by the shorelines hearings board on proposed adjustments to a local government master program may be sought. All other agencies, whether or not formerly specifically excluded from the provisions of all or any part of the administrative procedure act, shall be subject to the entire act.

NEW SECTION. Sec. 8. Section 19, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.190 are each repealed. This section shall take effect only if section 11, chapter ... (ESB 4831), Laws of 1982 fails to become law. If that section does become law, this section shall be of no force or effect.

NEW SECTION. Sec. 9. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

In line 3 of the title, strike "and"

In line 5 of the title, after "90.58.030" and before the period, insert "; amending section 15, chapter 234, Laws of 1959 as last amended by section 2, chapter 64, Laws of 1981 and RCW 34.04.150; adding new sections to chapter 90.58 RCW; repealing section 19, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.190; providing for contingent effectiveness; and declaring an emergency", and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Newhouse, the Senate refused to concur in the House amendments to Engrossed Senate Bill No. 3916 and asks the House to recede therefrom.

MOTION

At 11:23 a.m., on motion of Senator Clarke, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:00 p.m.

MOTION

On motion of Senator Clarke, the Senate returned to the first order of business.

REPORTS OF STANDING COMMITTEES

March 17, 1982.

SENATE CONCURRENT RESOLUTION NO. 147, establishing a task force to plan investment of state funds (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Bauer, Craswell, Deccio, Fleming, Gaspard, Haley, Hughes, Jones, Lee, Ridder, Wojahn, Zimmerman.

Passed to Committee on Rules for second reading.

March 17, 1982.

HOUSE BILL NO. 765, modifying the excise tax registration fee (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Scott, Chairman; Bluechel, Deccio, Fleming, Haley, Hayner, Jones, Lee, Zimmerman.

Passed to Committee on Rules for second reading.

March 17, 1982.

SUBSTITUTE HOUSE BILL NO. 840, modifying the sales tax exemption permit fee (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Scott, Chairman; Bauer, Craswell, Deccio, Fleming, Haley, Hayner, Jones, Zimmerman.

Passed to Committee on Rules for second reading.

MESSAGE FROM THE HOUSE

March 17, 1982.

Mr. President: The House has passed:

SUBSTITUTE HOUSE BILL NO. 1014,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1053, and the same are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 5001, by Senator Gould:

Relating to revenue and taxation to provide for local government services.

Referred to Committee on Ways and Means.

SUBSTITUTE HOUSE BILL NO. 1014, by Select Committee on Deregulation and Productivity (originally sponsored by Representatives Eberle, King (R), Hastings, Owen, Nelson (G), Stratton and Sanders):

Delineating restrictions on taxing powers of counties, cities, and towns.

Referred to Committee on Local Government.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1053, by Committee on Energy and Utilities (originally sponsored by Committee and Energy and Utilities and Representative Barnes):

Modifying requirements on the procurement of materials, equipment, supplies, and work by joint operating agencies contracting, improving, or operating electrical facilities.

Referred to Committee on Energy and Utilities.

MOTIONS

On motion of Senator Bottiger, the Committee on Rules was relieved from further consideration of Senate Joint Memorial 115, Senate Bill 4565, Substitute Senate Joint Resolution 111, Senate Bill 4864 and Second Substitute Senate Bill 3033.

On motion of Senator Bottiger, the rules were suspended and the measures were placed on the second reading calendar.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Zimmerman served notice that he would, at the proper time, move for reconsideration of the vote by which Senate Bill No. 3405 failed to pass the Senate.

PARLIAMENTARY INQUIRY

Senator Shinpoch: "Mr. President, a parliamentary inquiry. Under our rules do we act on the same day or does notice of consideration have to be given immediately, or can it be given on the following day?"

REMARKS BY THE PRESIDENT

President Cherberg: "The President ruled yesterday that the bill could have been considered yesterday and/or today."

MOTION

On motion of Senator Clarke, the motion for reconsideration by Senator Zimmerman will be held for the next working day.

MOTION

On motion of Senator Clarke, the Senate returned to the sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 4285, by Committee on Social and Health Services (originally sponsored by Senator Deccio):

Relating to social and health services.

The Senate resumed consideration of Substitute Senate Bill No. 4285 from earlier today. The following amendment by Senators Quigg, Vognild, von Reichbauer, Moore, Talmadge, Gaspard and Kiskaddon had been moved for adoption. Senator Hayner had raised a Point of Order on the amendment.

On page 7, after line 29, insert a new section to read as follows:

"Sec. 3. Section 5, chapter 30, Laws of 1967 ex.sess., as last amended by section 21, chapter 6, Laws of 1981 1st ex.sess., and RCW 74.09.520 are each amended to read as follows:

The term "medical assistance" may include the following care and services: (1) Inpatient hospital services; (2) outpatient hospital services; (3) other laboratory and x-ray services; (4) skilled nursing home services; (5) physicians' services, which shall include prescribed medication and instruction on birth control devices; (6) medical care, or any other type of remedial care as may be established by the secretary; (7) home health care services; (8) private duty nursing services; (9) dental services; (10) physical therapy and related services; (11) prescribed drugs, dentures, and prosthetic devices; and eyeglasses prescribed by a physician skilled in diseases of the eye or by an optometrist, whichever the individual may select; (12) other diagnostic, screening, preventive, and rehabilitative services: PROVIDED, That the department may not cut off any prescription medications, oxygen supplies, respiratory services, or other life-sustaining medical services or supplies.

"Medical assistance," notwithstanding any other provisions of law, shall not include routine foot care, ~~((chiropractic;))~~ or dental services delivered by any health care provider that are not mandated by Title XIX of the social security act."

RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the Point of Order raised by Senator Hayner, the President finds that Senate Bill No. 4285 is a measure which deals with the subject of state medical care available to medically indigent and needy persons.

"The amendment proposed by Senators Quigg and others also deals with the subject of state medical care by broadening the type of medical assistance that is available to such persons to include chiropractic care.

"The President therefore finds that the proposed amendment does not expand the scope and object of the bill and that the Point of Order is not well taken."

The amendment by Senator Quigg and others was ruled in order.

MOTION

Senator Haley moved adoption of the following amendment to the amendment by Senator Quigg and others:

In the second paragraph of the amendment, following "include" strike "routine foot care or dental"

Debate ensued.

The motion by Senator Haley failed and the amendment to the amendment was not adopted.

The motion by Senator Quigg carried and the amendment was adopted on a rising vote.

On motion of Senator Kiskaddon, the following amendment by Senators Quigg, Vognild, von Reichbauer, Moore, Talmadge, Gaspard and Kiskaddon was adopted:

On page 7, after line 29, insert a new section to read as follows:

"Sec. 3. Section 19, chapter 6, Laws of 1981 1st ex.sess. and RCW 74.09.035 are each amended to read as follows:

(1) To the extent of available funds, medical care services may be provided to recipients of general assistance in accordance with medical eligibility requirements established by the department.

(2) Determination of the amount, scope, and duration of medical care services shall be limited to coverage as defined by the department, except that ~~((chiropractic;))~~ adult dental, and routine foot care shall not be included.

(3) The department shall establish standards of assistance and resource and income exemptions, which may include deductibles and co-insurance provisions. In addition, the department may include a prohibition against the voluntary assignment of property or cash for the purpose of qualifying for assistance.

(4) Residents of skilled nursing homes, intermediate care facilities, and intermediate care facilities for the mentally retarded who are eligible for medical care

services shall be provided medical services to the same extent as provided to those persons eligible under the medical assistance program.

(5) Payments made by the department under this program shall be the limit of expenditures for medical care services solely from state funds.

(6) Medical care services received no more than seven days prior to the date of application shall be retroactively certified and approved for payment on behalf of a person who was otherwise eligible at the time the medical services were furnished: PROVIDED, That eligible persons who fail to apply within the seven-day time period for medical reasons or other good cause may be retroactively certified and approved for payment."

On motion of Senator Kiskaddon, the following amendments to the title were adopted:

On page 1, line 6 of the title, following "74.09.610;" insert "adding a new section to chapter 74.09 RCW;"

On page 1 of the title, line 6, insert: "amending section 5, chapter 30, Laws of 1967 ex.sess., as last amended by section 21, chapter 6, Laws of 1981 1st ex.sess., and RCW 74.09.520"

On page 1 of the title, line 6, insert "amending section 19, chapter 6, Laws of 1981 1st ex.sess. and RCW 74.09.035"

On motion of Senator Deccio, the rules were suspended, Engrossed Substitute Senate Bill No. 4285 was advanced to third reading, the second reading considered the third, and the bill placed on final passage.

MOTION

On motion of Senator Ridder, Senator Rasmussen was excused.
Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 4285, and the bill passed the Senate by the following vote: Yeas, 41; nays, 1; absent or not voting, 3; excused, 4.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Craswell, Deccio, Fuller, Gallagher, Gaspard, Goltz, Gould, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Kiskaddon, Lee, Lysen, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Ridder, Scott, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—41.

Voting nay: Senator Guess—1.

Absent or not voting: Senators Conner, Fleming, Jones—3.

Excused: Senators McDermott, Rasmussen, Sellar, Talley—4.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4285, having received the 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. 808, by House Committee on Appropriations—Human Services (originally sponsored by Representatives Nisbet, Owen, Houchen and Struthers)(by Governor Spellman request):

Providing for a 500-man medium security correction center.

The bill was read the second time by sections.

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

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to chapter 143, Laws of 1981 a new section to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) For design, site preparation including land acquisition at a nominal cost, and utilities for a 500-bed medium security corrections center.

General Fund—State Social and Health Services

Constructions Account Appropriation \$ 9,750,000

(2) For design, site preparation including land acquisition at nominal cost, and utilities to provide for the future construction equipping of a 500-bed medium security corrections center. The design of this correction center shall be in common with the 500-bed medium security correction center to be constructed pursuant to subsection (1) of this section.

General Fund—State Social and Health Services

Construction Account Appropriation \$ 10,550,000

(3) To repair heating and ventilation systems at the McNeil Island Corrections Center: PROVIDED, That these funds shall not be expended until the department of general administration completes an engineering energy audit of this facility as authorized under RCW 43.19.675.

General Fund—State Social and Health Services

Construction Account Appropriation \$ 500,000

Sec. 2. Section 1, chapter 234, Laws of 1981 and RCW 43.83H.172 are each amended to read as follows:

For the purpose of providing needed capital improvements consisting of the planning acquisition, construction, remodeling, improving, and equipping of social and health services and department of corrections facilities, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of one hundred fifty-four million eight hundred fifty thousand dollars, or so much thereof as may be required, to finance these projects, and all costs incidental thereto. No bonds authorized by RCW 43.83H.172 through 43.83H.182 may be offered for sale without prior legislative appropriation.

The bonds shall pledge the full faith and credit of the state of Washington and contain an unconditional promise to pay the principal and interest when due."

On motion of Senator Deccio, the following amendment to the title of adopted:

On page 1, line 1 of the title, after "corrections;" strike the remainder of the title and insert "amending section 1, chapter 234, Laws of 1981 and RCW 43.83H-.172; and amending section 2, chapter 176, Laws of 1974 ex. sess. and RCW 43.17.200."

On motion of Senator Deccio, the rules were suspended, Substitute House Bill No. 808, 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 Substitute House Bill No. 808, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 38; nays, 7; absent or not voting, 1; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Charnley, Clarke, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Ridder, Scott, Shipoch, Talmadge, von Reichbauer, Williams, Wilson, Woody, Zimmerman—38.

Voting nay: Senators Bottiger, Goltz, Lysen, McDermott, Metcalf, Vognild, Wojahn—7.

Absent or not voting: Senator Conner—1.

Excused: Senators Rasmussen, Sellar, Talley—3.

SUBSTITUTE HOUSE BILL NO. 808, 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

SECOND SUBSTITUTE HOUSE BILL NO. 828, by House Committee on Ways and Means (originally sponsored by Representatives Tilly, Johnson, Wilson, Wang, Cole, Kaiser, North, Granlund, Rust, Addison, Ellis, Greengo, King (J.), Stratton, Tupper, Patrick, Winsley, Martinis, Hine, Pruitt, Galloway, Maxie, Barr and Armstrong):

Continuing compensation for crime victims.

The bill was read the second time by sections.

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

Strike everything after the enacting clause and insert the following:

"Section 1. Section 10, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.035 are each amended to read as follows:

(1) Whenever any person is found guilty in any court of competent jurisdiction of having committed ~~((an act prohibited under the provisions of Title 9A RCW as now or hereafter amended, which act involved a victim and is punishable as a felony or gross misdemeanor))~~ a crime, except as provided in subsection (2) of this section, there shall be imposed by the court upon such convicted person a penalty assessment ~~((in the amount of twenty-five dollars or ten percent of any other penalty or fine, whichever is greater, which penalty assessment shall be in addition to any other penalty or fine imposed by law))~~ of fifty dollars for a felony or gross misdemeanor and twenty-five dollars for a misdemeanor. The assessment shall be in addition to any other penalty or fine imposed by law.

(2) The assessment imposed by subsection (1) of this section shall not apply to motor vehicle crimes defined in Title 46 RCW except those defined in the following sections: RCW 46.61.520, 46.61.024, 46.52.090, 46.70.140, 46.65.090, 46.61.502, 46.61.504, 46.52.100, 46.20.410, 46.52.020, 46.10.130, 46.09.130, 46.61.525, 46.61.685, 46.61.530, 46.61.500, 46.61.015, 46.52.010, 46.44.180, 46.10.090(2) and 46.09.120(2).

(3) Whenever any person accused of having committed a criminal act ~~((prohibited under the provisions of Title 9A RCW as now or hereafter amended, which act involved a victim and is punishable as a felony or gross misdemeanor))~~, posts bail pursuant to the provisions of chapter 10.19 RCW, and such bail is forfeited, there shall be deducted from the proceeds of such forfeited bail a penalty assessment ~~((of twenty-five dollars))~~, in addition to any other penalty or fine imposed by law, equal to the assessment which would be applicable under subsection (1) of this section if the person had been convicted of the criminal act.

~~((3))~~ (4) Notwithstanding any other provision of law, such penalty assessments shall be paid by the clerk of the court to the city or county treasurer, as the case may be, who shall monthly transmit eighty percent of such penalty assessments to the state treasurer. The state treasurer shall deposit such assessments in an account within the state general fund to be known as the crime victims compensation account, hereby created, and all moneys ~~((derived from such assessments))~~ placed in the account shall be used exclusively for the administration of this chapter, after appropriation by statute. Except as provided in subsection (5) of this section, the remaining twenty percent of such assessments shall be provided to the county prosecuting attorney to be used exclusively for comprehensive programs to encourage and facilitate testimony by the victims of crimes and witnesses to crimes. A program shall be considered "comprehensive" only after approval of the department upon application by the county prosecuting attorney. The department shall approve as comprehensive only programs which:

(a) Provide comprehensive services to victims and witnesses of all types of crime with particular emphasis on serious crimes against persons and property. It is the intent of the legislature to make funds available only to programs which do not

restrict services to victims or witnesses of a particular type or types of crime and that such funds supplement, not supplant, existing local funding levels;

(b) Are administered by the county prosecuting attorney either directly through the prosecuting attorney's office or by contract between the county and agencies providing services to victims of crime;

(c) Make a reasonable effort to inform the known victim or his surviving dependents of the existence of this chapter and the procedure for making application for benefits;

(d) Assist victims in the restitution and adjudication process; and

(e) Assist victims of violent crimes in the preparation and presentation of their claims to the department of labor and industries under this chapter.

(5) If a county prosecuting attorney has failed to obtain approval of a program from the department under subsection (4) of this section, the city or county treasurer, as the case may be, shall monthly transmit one hundred percent of such penalty assessments to the state treasurer for deposit in the crime victims compensation account within the state general fund.

(6) County prosecuting attorneys are responsible to make every reasonable effort to insure that the penalty assessments of this chapter are imposed and collected.

(7) Penalty assessments under this section shall also be imposed in juvenile offense dispositions under Title 13 RCW.

Sec. 2. Section 7, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 26, chapter 6, Laws of 1981 1st ex. sess. and RCW 7.68.070 are each amended to read as follows:

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

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

(2) Each victim injured as a result of a criminal act (~~committed prior to July 1, 1981~~) including criminal acts committed between July 1, 1981, and the effective date of this 1982 act, or his family or dependents in case of death of the victim, are entitled to benefits in accordance with this chapter, and the rights, duties, responsibilities, limitations and procedures applicable to a workman as contained in RCW 51.32.010 as now or hereafter amended are applicable to this chapter.

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

(a) The result of consent, provocation or incitement by the victim;

(b) The result of an act or acts committed by a person living in the same household with the victim;

(c) The result of an act or acts committed by a person who is at the time of the criminal act the spouse, child, parent, or sibling of the victim by the half or whole blood, adoption or marriage, or the parent of the spouse of or sibling of the spouse of the victim by the half or whole blood, adoption, or marriage, or the son-in-law or daughter-in-law of the victim, unless in the director's sole discretion it is determined that:

(i) The parties to the marriage which establishes the relationship between the person committing the criminal act and the victim described above are estranged and living apart, and

(ii) The interests of justice require otherwise in the particular case;

(d) The result of the victim assisting, attempting, or committing a criminal act; or

(e) Sustained while the victim was confined in any county or city jail, federal jail or prison or in any other federal institution, or any state correctional institution maintained and operated by the department of social and health services or the department of corrections, prior to release from lawful custody; or confined or living in any other institution maintained and operated by the department of social and health services or the department of corrections.

(4) The benefits established upon the death of a workman and contained in RCW 51.32.050 as now or hereafter amended shall be the benefits obtainable under this chapter and provisions relating to payment contained in that section shall equally apply under this chapter: PROVIDED, That in the event the criminal act results in the death of a victim who was not gainfully employed at the time of the criminal act, and who was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act;

(a) Benefits payable to an eligible surviving spouse, where there are no children of the victim at the time of the criminal act who have survived him or where such spouse has legal custody of all of his children, shall be limited to burial expenses (~~as provided in RCW 51.32.050 as now or hereafter amended~~) not to exceed five hundred dollars and a lump sum payment of seven thousand five hundred dollars without reference to number of children, if any;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(12) Except for benefits authorized under RCW 7.68.080, no more than fifteen thousand dollars may be granted as a result of any single injury or death.

(13) Notwithstanding the provisions of Title 51 RCW, no victim shall be eligible for benefits for the first two hundred dollars worth of loss suffered: PROVIDED, That this subsection shall not apply to costs covered by RCW 7.68.170 or to other medical costs incurred by the victim of a sexual assault.

(14) Notwithstanding other provisions of this chapter and Title 51 RCW, benefits payable for any one injury or death for loss of earnings or future earnings or for loss of support shall be limited to ten thousand dollars.

NEW SECTION. Sec. 3. There is added to chapter 7.68 RCW a new section to read as follows:

Nothing in this act affects or impairs any right to benefits existing prior to the effective date of this act. For injuries occurring on and after July 1, 1981, and before the effective date of this act, the statute of limitations for filing claims under this chapter shall begin to run on the effective date of this act.

Sec. 4. Section 1, chapter 24, Laws of 1905 as last amended by section 1, chapter 29, Laws of 1979 and RCW 9.92.060 are each amended to read as follows:

Whenever any person shall be convicted of any crime except murder, burglary in the first degree, arson in the first degree, robbery, carnal knowledge of a female child under the age of ten years, or rape, the court may in its discretion, at the time of imposing sentence upon such person, direct that such sentence be stayed and suspended until otherwise ordered by such court, and that the sentenced person be placed under the charge of a parole or peace officer during the term of such suspension, upon such terms as the court may determine: PROVIDED, That as a condition to suspension of sentence, the court shall require the payment of the penalty assessment required by RCW 7.68.035: PROVIDED FURTHER, That as a condition to suspension of sentence, the court may require the convicted person to make such monetary payments, on such terms as the court deems appropriate under the circumstances, as are necessary (1) to comply with any order of the court for the payment of family support, (2) to make restitution to any person or persons who may have suffered loss or damage by reason of the commission of the crime in question, and (3) to pay any fine imposed and not suspended and the court or other costs incurred in the prosecution of the case, including reimbursement of the state for costs of extradition if return to this state by extradition was required. In no case shall a sentence be suspended under the provisions of this section unless the person if sentenced to confinement in a penal institution be placed under the charge of a parole officer, who is a duly appointed and acting officer of the institution to which the person is sentenced: PROVIDED, That persons convicted in justice court may be placed under supervision of a probation officer employed for that purpose by the board of county commissioners of the county wherein the court is located. If restitution to the victim has been ordered under subsection (2) of this section, the officer supervising the probationer shall make a reasonable effort to ascertain whether restitution has been made as ordered. If restitution has not been made, the officer shall inform the prosecutor of that violation of the terms of the suspended sentence not less than three months prior to the termination of the suspended sentence.

Sec. 5. Section 1, chapter 19, Laws of 1980 as amended by section 42, chapter 136, Laws of 1981 and RCW 9.95.210 are each amended to read as follows:

The court in granting probation, may suspend the imposing or the execution of the sentence and may direct that such suspension may continue for such period of time, not exceeding the maximum term of sentence, except as hereinafter set forth and upon such terms and conditions as it shall determine.

The court in the order granting probation and as a condition thereof, may in its discretion imprison the defendant in the county jail for a period not exceeding one year or may fine the defendant any sum not exceeding one thousand dollars plus the costs of the action, and may in connection with such probation impose both imprisonment in the county jail and fine and court costs. As a condition of probation, the court shall require the payment of the penalty assessment required by RCW 7.68-.035. The court may also require the defendant to make such monetary payments, on such terms as it deems appropriate under the circumstances, as are necessary (1) to comply with any order of the court for the payment of family support, (2) to

make restitution to any person or persons who may have suffered loss or damage by reason of the commission of the crime in question, (3) to pay such fine as may be imposed and court costs, including reimbursement of the state for costs of extradition if return to this state by extradition was required, and (4) to contribute to a county or interlocal drug fund, and may require bonds for the faithful observance of any and all conditions imposed in the probation. The court shall order the probationer to report to the secretary of corrections or such officer as the secretary may designate and as a condition of said probation to follow implicitly the instructions of the secretary. If the probationer has been ordered to make restitution, the officer supervising the probationer shall make a reasonable effort to ascertain whether restitution has been made. If restitution has not been made as ordered, the officer shall inform the prosecutor of that violation of the terms of probation not less than three months prior to the termination of the probation period. The secretary of corrections will promulgate rules and regulations for the conduct of such person during the term of his probation: **PROVIDED**, That for defendants found guilty in justice court, like functions as the secretary performs in regard to probation may be performed by probation officers employed for that purpose by the board of county commissioners of the county wherein the court is located.

NEW SECTION. Sec. 6. There is added to chapter 2.56 RCW a new section to read as follows:

Beginning in 1983, the administrator for the courts shall annually compile a report, covering the previous year, showing: (1) For each superior court district, the number of convictions and the amount of assessments paid and amount due for felonies, gross misdemeanors, and misdemeanors; (2) for each county, the number of gross misdemeanor and misdemeanor convictions in courts of limited jurisdiction and the amount of assessments paid and the amount due. This information shall be provided by class of crime (felony, gross misdemeanor, and misdemeanor). "Assessment" means the crime victims compensation assessment required under RCW 7.68.035.

NEW SECTION. Sec. 7. There is appropriated to the department of labor and industries from the crime victims compensation account in the general fund for the biennium ending June 30, 1983, the sum of three million two hundred thousand dollars, or so much thereof as may be necessary for the purposes of chapter 7.68 RCW.

NEW SECTION. Sec. 8. There is appropriated to the department of labor and industries from the general fund for the biennium ending June 30, 1983, the sum of three hundred thousand dollars, or so much thereof as may be necessary, to carry out the purposes of chapter 7.68 RCW.

NEW SECTION. Sec. 9. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except sections 2 through 6 of this act shall take effect on January 1, 1983.

NEW SECTION. Sec. 10. The intent of the legislature is that the victim of crime program will be self-funded. Toward that end, the department of labor and industries shall not pay benefits beyond the resources of the account. The department of labor and industries and the administrator for the courts shall cooperatively prepare a report on the collection of penalty assessments and the level of expenditures, and recommend adjustments to the revenue collection mechanism to the legislature before January 1, 1983. It is further the intent of the legislature that the percentage of funds devoted to comprehensive programs for victim assistance, as provided in section 1 of this act, be re-examined to ensure that it does not unreasonably conflict with the higher priority of compensating victims. To that end, the county prosecuting attorneys shall report to the legislature no later than January 1, 1984, either individually or as a group, on their experience and costs associated with such programs, describing the nature and extent of the victim assistance provided."

On motion of Senator Scott, the following amendment to the title was adopted:

On page 1, line 1 of the title after "crime;" strike the remainder of the title and insert "amending section 10, chapter 302, Laws of 1977 ex. sess. and RCW 7.68-.035; amending section 7, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 26, chapter 6, Laws of 1981 1st ex. sess. and RCW 7.68.070; amending section 1, chapter 24, Laws of 1905 as last amended by section 1, chapter 29, Laws of 1979 and RCW 9.92.060; amending section 1, chapter 19, Laws of 1980 as amended by section 42, chapter 136, Laws of 1981 and RCW 9.95.210; adding new sections to chapter 7.68 RCW; creating a new section; making appropriations; providing an effective date; and declaring an emergency."

On motion of Senator Scott, the rules were suspended, Second Substitute House Bill No. 828, 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 Second Substitute House Bill No. 828, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 1; excused, 1.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Ridder, Scott, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—43.

Voting nay: Senators Craswell, Pullen—2.

Absent or not voting: Senator Conner—1.

Excused: Senators Rasmussen, Sellar, Talley—3.

SECOND SUBSTITUTE HOUSE BILL NO. 828, 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 SECOND SUBSTITUTE HOUSE BILL NO. 987, by House Committee on Appropriations—General Government and Compensation (originally sponsored by House Committee on Appropriations—General Government and Compensation and Representatives Williams, Wang, McDonald, Ellis and James):

Placing limitations on certain payments to school employees.

The bill was read the second time by sections.

Senator Scott moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"**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:

(1) No school district board of directors or administrators may:

(a) Increase an employee's salary or compensation to include a payment in lieu of providing a fringe benefit;

(b) Allow payment to any employee for unused vacation leave; except, that contracts may provide a mechanism for all accumulated vacation leave to be taken as vacation leave; or

(c) Allow any payment to an employee which is partially or fully conditioned on the termination or retirement of the employee, except as provided in subsection (2) of this section.

(2) A school district board of directors may compensate an employee for termination of the employee's contract in accordance with the termination provisions of

the contract. If no such provisions exist the compensation must be reasonable based on the proportion of the uncompleted contract. Compensation received under this subsection shall not be included for the purposes of computing a retirement allowance under any public retirement system in this state.

(3) Provisions of any contract in force on the effective date of this act which conflict with the requirements of this section shall continue in effect until contract expiration. After expiration, any new contract including any renewal, extension, amendment or modification of an existing contract executed between the parties shall be consistent with this section.

NEW SECTION. Sec. 2. There is added to chapter 41.32 RCW a new section to read as follows:

The department of retirement systems shall make a review of each member employed by a school district being retired on and after July 1, 1982, and whose benefits are determined by RCW 41.32.497 or 41.32.498. The purpose of the review is to identify any retiree whose average annual earnable compensation for purposes of determining retirement benefits exceeds the average annual earnable compensation during the two year period immediately preceding the years used in computing retirement benefits by more than the percentage increase determined as set forth in subsection (1) of this section.

(1) For the retirees average final compensation period, the basis for making the comparison required by this section, shall be a percentage increase equal to one percentage point in excess of the average percentage salary increase granted to certificated employees of such employees district in accordance with the state operating appropriations act in effect at the time the salary is payable, adjusted for incremental increases for seniority and educational attainment and staff position changes.

(2) For all retirees identified in this section, the department of retirement systems shall calculate the increase in the basic retirement benefit which results from any increase in salary granted an employee in excess of the district average certificated salary increase. The department of retirement systems will then, utilizing tables developed by the state actuary, determine the extra pension cost attributable to exceeding such average and shall bill the retiree's employer who shall remit the entire amount determined to the retirement system within thirty days, except that the director of the department of retirement systems shall be empowered to omit billing an amount less than fifty dollars.

(3) Any post-retirement increases resulting from the excess benefit identified in subsection (2) of this section shall be billed to the last employer as they occur on the basis set forth in subsection (2) of this section.

NEW SECTION. Sec. 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

POINT OF INQUIRY

Senator Goltz: "Senator Scott, as I understand the RCW number, this refers only to the public school K through 12 system; it does not refer to any retirement system or bumping of pension systems in community colleges, four-year institutions or general administration? Is that correct?"

Senator Scott: "That is correct, Senator."

Senator Goltz: "Was any thought given to expanding the scope and object of the bill?"

Senator Scott: "There was a thought given to it but caution prevailed."

The motion by Senator Scott carried and the amendment was adopted.

On motion of Senator Scott, the following amendment to the title was adopted:

In line 3 of the title after "28A.58 RCW;" strike the remainder of the title and insert "adding a new section to chapter 41.32 RCW; and declaring an emergency."

On motion of Senator Scott, the rules were suspended, Engrossed Second Substitute House Bill No. 987, 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 Second Substitute House Bill No. 987, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Ridder, Scott, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—45.

Absent or not voting: Senator Conner—1.

Excused: Senators Rasmussen, Sellar, Talley—3.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 987, 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. 1084, by House Committee on Education and Representative Taylor (by State Board of Education request):

Clarifying law relating to terms and qualifications of state board of education members.

The bill was read the second time by sections.

Senator Hemstad moved adoption of the following amendment:

On page 3 following section 2 add three new sections to read as follows:

"Sec. 3. Section 28A.04.010, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 179, Laws of 1980 and RCW 28A.04.010 are each amended to read as follows:

The state board of education shall be comprised of two members from each congressional district of the state, not including any congressional district at large, elected by the members of the boards of directors of school districts thereof, as hereinafter in this chapter provided, and one ((*nonvoting*)) member elected at large, as hereinafter in this chapter provided, by the members of the boards of directors of all private schools in the state meeting the requirements of RCW 28A.02.201, as now or hereafter amended.

Sec. 4. Section 28A.04.020, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 38, Laws of 1981 and RCW 28A.04.020 are each amended to read as follows:

Not later than the twenty-fifth day of August of each year, the superintendent of public instruction shall call for the following elections to be held: An election in each congressional district within which resides a member of the state board of education whose term of membership will end on the second Monday of January next following, and an election of the ((*nonvoting*)) member of the state board of education representative of the private schools if the term of membership will end on the second Monday of January next following. The superintendent of public instruction

shall give written notice thereof to each member of the board of directors of each common school district in such congressional district, and to the chairperson of the board of directors of each private school who shall distribute said notice to each member of the private school board. Such notice shall include the election calendar and rules and regulations established by the superintendent of public instruction for the conduct of the election.

Sec. 5. Section 28A.04.050, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 38, Laws of 1981 and RCW 28A.04.050 are each amended to read as follows:

Each member of the board of directors of each school district in each congressional district shall be eligible to vote for the candidates who reside in his congressional district. Each chairperson of the board of directors of each eligible private school shall cast a vote for the candidate receiving a majority in an election to be held as follows: Each member of the board of directors of each eligible private school shall vote for candidates representing the private schools in an election of the board, the purpose of which is to determine the board's candidate for the ((~~nonvoting~~)) member representative of the private schools of the state board. Not later than the first day of October the superintendent of public instruction shall mail to each member of each common school district board of directors and to each chairperson of the board of directors of each private school, the proper ballot and voting instructions for his congressional district together with biographical data concerning each candidate listed on such ballot, which data shall have been prepared by the candidate."

Renumber remaining section consecutively.

Debate ensued.

POINT OF INQUIRY

Senator Woody: "Senator Hemstad, I am wondering what percentage of the issues that come before the state board of education are related to private school matters? Do you know what that percentage might be?"

Senator Hemstad: "Senator Woody, I can't give you a percentage response to that, but I simply would point out that we are talking about one-seventeenth of the board. But in their regulatory control over private education, the state board of education has a very massive impact on what they can and cannot do. And the state board strongly asserts that it has the authority and responsibility to do that. So its impact on private education is very high and the translation is one-seventeenth of the total board, hardly an overwhelming percentage participation in those decisions."

Further debate ensued.

POINT OF INQUIRY

Senator Charnley: "Senator Hemstad, all I can see here is ' . . . one member elected at large . . . by the members of the boards of directors of all private schools' Is there any indication or direction in either your amendment or in existing law that that representative should not be a representative from a school that may have very, very tight religious grounds or other things that would be contrary to the Constitution in terms of church and state?"

Senator Hemstad: "Senator Charnley, this representative would be a representative of those approved private schools. In other words, those that already fall within the approval mechanisms of the state board of education."

Further debate ensued.

POINT OF INQUIRY

Senator Charnley: "Senator Talmadge, I would be interested in your opinion in the sense of the constitutionality of inserting a member of private school on a state public school board, in the terms of the Constitution."

Senator Talmadge: "Senator Charnley, as I think I said in my remarks no more thorny cases have ever confronted the United States Supreme Court or the Washington State Supreme Court, than the question of the intersection of parochial education and the first amendment. I would submit that on certain issues there may be some serious questions and some of the issues that are facing public education today include vouchers, which have a first amendment implication; aid to parochial education which has always had a first amendment question attached to it; and many others may, in fact, be affected by the presence of a private school or parochial school representative on the state board of education, should the board have decision-making powers with respect to that issue."

Further debate ensued.

Senator Gaspard moved adoption of the following amendment to the amendment by Senator Hemstad:

On page 1, line 29, after "amended" strike the period and insert: ": PROVIDED, That the member elected by the private schools shall vote only on matters directly relating to private schools."

Debate ensued.

POINT OF ORDER

Senator Gaspard: "Senator Deccio is violating the Senate rules when he called my amendment, adopting it would be a sham. I think he is impugning the motives of one of the members of the Senate."

RULING BY THE PRESIDENT

President Cherberg: "Will you please confine your remarks to the adoption of the amendment, Senator Deccio."

MOTION

On motion of Senator Bluechel, Senator Gould was excused.

Senator Gaspard demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senator Gaspard to the amendment by Senator Hemstad.

ROLL CALL

The Secretary called the roll and the amendment to the amendment was not adopted by the following vote: Yeas, 15; nays, 28; absent or not voting, 2; excused, 4.

Voting yea: Senators Bauer, Charnley, Conner, Gaspard, Hughes, Lee, McDermott, Moore, Patterson, Ridder, Shinpoch, Talmadge, Williams, Wojahn, Woody—15.

Voting nay: Senators Benitz, Bluechel, Bottiger, Clarke, Craswell, Deccio, Fleming, Fuller, Gallagher, Goltz, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lysen, McCaslin, Metcalf, Peterson, Pullen, Quigg, Scott, von Reichbauer, Wilson, Zimmerman—28.

Absent or not voting: Senators Newhouse, Vognilid—2.

Excused: Senators Gould, Rasmussen, Sellar, Talley—4.

The President declared the question before the Senate to be the amendment by Senator Hemstad.

Senator Woody demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senator Hemstad.

ROLL CALL

The Secretary called the roll and the amendment was adopted by the following vote: Yeas, 27; nays, 16; absent or not voting, 2; excused, 4.

Voting yea: Senators Benitz, Bluechel, Bottiger, Clarke, Craswell, Deccio, Fleming, Fuller, Gallagher, Guess, Haley, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lysen, McCaslin, McDermott, Metcalf, Moore, Peterson, Pullen, Quigg, von Reichbauer, Wilson, Zimmerman—27.

Voting nay: Senators Bauer, Charnley, Conner, Gaspard, Goltz, Hansen, Hughes, Lee, Patterson, Ridder, Scott, Shinpoch, Talmadge, Williams, Wojahn, Woody—16.

Absent or not voting: Senators Newhouse, Vognild—2.

Excused: Senators Gould, Rasmussen, Sellar, Talley—4.

On motion of Senator Hemstad, the following amendment to the title was adopted:

On page 1, on line 5 of the title after "28A.04.040;" and before "and" insert "amending section 28A.04.010, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 179, Laws of 1980 and RCW 28A.04.010; amending section 28A.04.020, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 38, Laws of 1981 and RCW 28A.04.020; amending section 28A.04.050, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 38, Laws of 1981 and RCW 28A.04.050;"

On motion of Senator Kiskaddon, the rules were suspended, House Bill No. 1084, 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 House Bill No. 1084, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 31; nays, 13; absent or not voting, 1; excused, 4.

Voting yea: Senators Bluechel, Bottiger, Clarke, Craswell, Deccio, Fleming, Fuller, Gallagher, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Peterson, Pullen, Quigg, Scott, Shinpoch, von Reichbauer, Williams, Wilson, Zimmerman—31.

Voting nay: Senators Bauer, Benitz, Charnley, Conner, Gaspard, Goltz, Hughes, Lee, Patterson, Ridder, Talmadge, Wojahn, Woody—13.

Absent or not voting: Senator Vognild—1.

Excused: Senators Gould, Rasmussen, Sellar, Talley—4.

HOUSE BILL NO. 1084, 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.

PRESENTATION OF IRISH DANCERS

In the spirit of St. Patrick's Day, with permission of the Senate, business was suspended to permit students from the Comerford School of Irish Dance of Vancouver, B.C. and Seattle to entertain the members and guests of the Senate. The group was introduced by John Watkins of the School of Dance.

MOTION

On motion of Senator Clarke, the Senate returned to the fifth order of business.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 5002, by Senator Hayner:

AN ACT Relating to civil service reform and employee performance incentives.
Referred to Committee on State Government.

SENATE BILL NO. 5003, by Senator Hayner:

AN ACT Relating to tuition and user fees.
Referred to Committee on Ways and Means.

SENATE BILL NO. 5004, by Senator Hayner:

AN ACT Relating to agency consolidations and eliminations.
Referred to Committee on State Government.

SENATE BILL NO. 5005, by Senator Hayner:

AN ACT Relating to basic education.
Referred to Committee on Ways and Means.

SENATE BILL NO. 5006, by Senators Gould and Scott:

AN ACT Relating to legislative salaries.
Referred to Committee on Ways and Means.

SENATE BILL NO. 5007, by Senator Scott:

AN ACT Relating to compensation for public employees.
Referred to Committee on Ways and Means.

MOTION

At 3:00 p.m., on motion of Senator Clarke, the Senate adjourned until 10:00 a.m., Friday, March 19, 1982.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

EIGHTH DAY

MORNING SESSION

Senate Chamber, Olympia, Friday, March 19, 1982.

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 Hughes, Lysen and Talley. On motion of Senator Ridder, Senators Hughes, Lysen and Talley were excused.

The Color Guard, consisting of Pages Debbie White and Sally Leonard, presented the Colors. Reverend Lee Forstrom, pastor of Westwood Baptist Church of Olympia, offered the prayer.

MOTION

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

ANNOUNCEMENT OF BIRTH

The President announced the arrival of a daughter, Kathleen, born on March 18, 1982 to Senator and Mrs. Jerry Hughes.

APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Hayner, Clarke, Newhouse, Bottiger, Goltz and Bauer to escort members of the Air Force from McCord Field to the Senate rostrum.

The President turned the gavel over to Senator Bauer.

Senator Bauer presented a Washington State Flag to Colonel Richard Farr.

With permission of the Senate, business was suspended to permit Colonel Farr to address the Senate.

Senator Bauer returned the gavel to the President.

The committee of honor escorted the honored guests from the Senate Chamber and the committee was discharged.

Colonel Farr is also the pastor of the Salmon Creek Methodist Church. Senator Bauer is a member of that congregation.

MOTION

At 10:13 a.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 11:09 a.m.

At 11:10 a.m., on motion of Senator Clarke, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 2:30 p.m.

At 2:35 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 2:50 p.m.

REPORTS OF STANDING COMMITTEES

March 18, 1982.

SENATE BILL NO. 4216, relating to unemployment compensation (reported by Committee on Commerce and Labor):

MAJORITY recommendation: That Substitute Senate Bill No. 4216 be substituted therefor, and the substitute bill do pass.

Signed by: Senators Quigg, Chairman; Hurley, Jones, Sellar, Vognild, Williams.

Passed to Committee on Rules for second reading.

March 18, 1982.

SENATE BILL NO. 4536, relating to state government (reported by Committee on State Government):

MAJORITY recommendation: That Substitute Senate Bill No. 4536 be substituted therefor, and the substitute bill do pass.

Signed by: Senators Metcalf, Chairman; Conner, Fleming, Gallagher, McDermott, Moore, Quigg, Rasmussen.

Passed to Committee on Rules for second reading.

March 18, 1982.

ENGROSSED HOUSE BILL NO. 795, establishing user fees to allow the department of labor and industries to defray the cost of administering the prevailing wage law and the minor work permit law (reported by Committee on Commerce and Labor):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Quigg, Chairman; Hurley, Jones, Newhouse, Vognild, Williams.

Passed to Committee on Rules for second reading.

March 18, 1982.

HOUSE BILL NO. 796, revising laws on review of apprenticeship programs (reported by Committee on Commerce and Labor):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Quigg, Chairman; Hurley, Vognild, Williams.

Passed to Committee on Rules for second reading.

March 19, 1982.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1053, modifying requirements on the procurement of materials, equipment, supplies, and work by joint operating agencies contracting, improving, or operating electrical facilities (reported by Committee on Energy and Utilities):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gould, Chairman; McCaslin, Vice Chairman; Fuller, Hemstad, Moore, Newhouse, Woody.

Passed to Committee on Rules for second reading.

MESSAGES FROM THE HOUSE

March 18, 1982.

Mr. President: The House has receded from its amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4963, and has passed the bill without the House amendments, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

March 18, 1982.

Mr. President: The House has concurred in the Senate amendments to SECOND SUBSTITUTE HOUSE BILL NO. 828, and has passed the bill as amended by the Senate.

VITO T. CHIECHI, Chief Clerk.

March 18, 1982.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 987, and has passed the bill as amended by the Senate.

VITO T. CHIECHI, Chief Clerk.

March 18, 1982.

Mr. President: The Speaker has signed: SENATE BILL NO. 4025, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: SUBSTITUTE SENATE BILL NO. 4963.

MESSAGE FROM THE HOUSE

March 18, 1982.

Mr. President: The House refuses to recede from the House amendment to ENGROSSED SENATE BILL NO. 4748 and asks the Senate for a conference thereon. The Speaker appoints Representatives Sanders, Patrick and J. King.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Newhouse, the Senate granted the request of the House for a conference on Engrossed Senate Bill No. 4748 and the House amendment thereto.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 4748 and the House amendment thereto: Senators Benitz, Quigg and Vognild.

MOTION

On motion of Senator Newhouse, the Conference Committee appointments were confirmed.

MESSAGE FROM THE HOUSE

March 18, 1982.

Mr. President: The House refuses to recede from the House amendments to SUBSTITUTE SENATE BILL NO. 4153 and asks the Senate for a conference thereon. The Speaker appoints Representatives Tilly, Van Dyken and Kreidler.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Newhouse, the Senate granted the request of the House for a conference on Substitute Senate Bill No. 4153 and the House amendments thereto.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Substitute Senate Bill No. 4153 and the House amendments thereto: Senators Hemstad, Newhouse and Shinpoch.

MOTION

On motion of Senator Newhouse, the Conference Committee appointments were confirmed.

MOTION

On motion of Senator Clarke, the Senate returned to the third order of business.

MESSAGE FROM THE GOVERNOR

Office of the Governor, March 18, 1982.

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

LADIES AND GENTLEMEN:

I have the honor to advise you that on March 18, 1982 Governor Spellman approved the following Senate Bill entitled:

SENATE BILL NO. 4713: Relating to motor vehicle fund distributions.

Sincerely,

MARILYN SHOWALTER

Counsel to the Governor.

MOTION

On motion of Senator Clarke, the Senate advanced to the seventh order of business.

THIRD READING

ENGROSSED SENATE BILL NO. 4733, by Senator Hayner:

Modifying certain methods of handling juvenile offenders.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 4733.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4733, and the bill passed the Senate by the following vote: Yeas, 28; nays, 18; excused, 3.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Rasmussen, Scott, Sellar, von Reichbauer, Woody, Zimmerman—28.

Voting nay: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, McDermott, Moore, Peterson, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn—18.

Excused: Senators Hughes, Lysen, Talley—3.

ENGROSSED SENATE BILL NO. 4733, having received the 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

SUBSTITUTE SENATE BILL NO. 4824, by Committee on Natural Resources (originally sponsored by Senators Gallagher, Zimmerman and Peterson): Providing separate chapters of laws of aquatic lands.

MOTIONS

On motion of Senator Goltz, the rules were suspended, Substitute Senate Bill No. 4824 was returned to second reading.

Senator Talmadge moved adoption of the following amendment:

On page 82, line 5, strike all of New Section 145.

Renumber the remaining sections consecutively and correct the cross references.

POINT OF INQUIRY

Senator Goltz: "Senator Talmadge, if I understand your amendment correctly, the long-standing reversionary rights which the oyster growers have on the property which they use to grow oysters would be taken away by this amendment. Is that correct?"

Senator Talmadge: "No, it is not my understanding, Senator Goltz, that that would be the case. The concern has been whether or not the state could sell those reversionary rights. My understanding was that the position of the department of natural resources was that you could not sell those reversionary rights. The position of the oysterers, I think is they can be sold based on that pre-existing law. I think they would like to take advantage of that."

Senator Goltz: "I would like to ask another question, then. From the standpoint of the oyster growers, do they support your amendment or are they opposed to your amendment?"

Senator Talmadge: "Senator, I have not run it by them; I think it was their position in the committee, that the old law, the 1925 and 1927 enactments, should be the law. If you supported that position you would be in opposition to my amendment. If you supported the position of the department of natural resources, you would be in favor of my amendment which would strike the old law and reinsert in its place, the shoreline management act."

Debate ensued.

The motion by Senator Talmadge failed and the amendment was not adopted.

Senator Goltz moved the following amendments by Senators Goltz, Newhouse, Gallagher and Moore be considered and adopted simultaneously:

On page 100, after line 20, insert the following:

"Sec. 176. Section 2, chapter 97, Laws of 1979 ex. sess. and RCW 79.01.525 are each amended to read as follows:

~~((During the term of an existing lease and in issuing or renewing leases or re-
leasing harbor areas pursuant to RCW 79.01.520, the annual rental fee for a harbor
area lease shall not increase at a rate of more than six percent per year, regardless
of the reappraised value of the harbor area unless the reappraisal is conducted by an
independent fee appraiser who is a member of the Appraisal Institute and design-
ated M.A.I. or a member of the Society of Real Estate Appraisers who is design-
ated S.R.P.A. or S.R.E.A. and who uses local comparable land values.)) From the
effective date of this 1982 amendatory act, until July 1, 1983, the annual rental fee
for an existing lease, and renewal lease or re-lease of tidelands, shorelands, beds of
navigable waters, waterways and harbor areas shall not increase at a rate of more
than six percent per year beyond the rental fee in effect on January 1, 1981, for such
existing lease, renewed lease or re-lease. Any new lease issued after the effective
date of this 1982 amendatory act shall be at a rental rate of not more than six per-
cent per year above the rental rates in effect on January 1, 1981, for comparable
state-owned aquatic lands leased for similar purposes. This rate shall be in effect
from the effective date of the lease until July 1, 1983. This section does not apply to
geoduck harvesting leases, clam harvesting leases or oyster bed leases which are
established by a competitive bid process. When state aquatic lands and harbor areas
are used or leased for a dock and are used for personal recreational use by the
upland owner, no rent or fee shall be charged in addition to any rent or fee now
being paid by an upland owner. This section shall expire and have no further legal
effect after July 1, ((1982)) 1983."~~

Renumber remaining sections consecutively.

On page 101, following line 18, insert a new section to read as follows:

"NEW SECTION. Sec. 178. A joint legislative committee on aquatic lands shall be convened to study the laws governing the management of state-owned marine lands, shorelands, and harbor areas and the manner in which the department of natural resources has interpreted and administered these laws in fulfillment of trust management responsibilities. The purpose of the study is to propose legislation which will (1) clearly define aquatic lands; (2) articulate a management philosophy; (3) provide procedures for managing and appraising these lands; (4) establish an administrative fee for residential recreational docks; and (5) address such other issues to be determined by the committee. The committee membership shall include three members of the house of representatives appointed by the speaker; and three members of the senate appointed by the president. The committee shall elect a chairman from among its members. The chairman shall appoint an aquatic lands task force to be comprised of other public and private entities affected by the administration of aquatic lands to make recommendations to the committee. The committee shall report its findings, not later than January 1, 1983, to the natural resources and environmental affairs committee of the house of representatives and the natural resources committee of the senate."

Renumber remaining sections consecutively.

On page 101, line 20, strike "and 79.01.525"

On page 108, after line 18, add sections as follows:

"NEW SECTION. Sec. 185. Sections 176 (amending RCW 79.01.525) and 178 (creating a new section providing for an aquatic lands joint legislative committee) 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.

NEW SECTION, Sec. 186. Except as provided in section 185 of this act, this act shall take effect July 1, 1983."

Senator Goltz moved the following amendments to the amendment be considered and adopted simultaneously:

On page 2, line 2 of the amendment, between "used" and "for" add "only"

On page 2, under "NEW SECTION, Sec. 178." line 6, after "fulfillment of" strike "trust"

On page 2, under "NEW SECTION, Sec. 178." line 17, after "comprised of" insert "Department of Natural Resources representatives and"

The motion by Senator Goltz carried and the amendment to the amendments were adopted.

The motion by Senator Goltz carried and the amendments, as amended, were adopted.

On motion of Senator Newhouse, the following amendments to the title by Senator Goltz were adopted.

On page 2, line 23 of the title after "79.01.414;" insert "amending section 2, chapter 97, Laws of 1979 and RCW 79.01.525;"

On page 2, beginning on line 26 of the title after ".521" strike "and 79.01.525"

On page 7, line 4 of the title after "79.20.170;" strike "and" and on line 6 after "79.20.180" insert "; declaring an emergency and providing an effective date;"

On motion of Senator Newhouse, the rules were suspended, Engrossed Substitute Senate Bill No. 4824 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Gallagher: "Senator Goltz, in new section 178, there is established a joint legislative committee which is to conduct a study of aquatic lands law policing policy. Subsection (4) calls for establishment of an administrative fee for residential, recreational docks. What is your intent of the meaning of 'administrative fee' and will this, in any way, be used to tie the legislature's hands on the type of fee to be charged, if any?"

Senator Goltz: "Well, Senator Gallagher, the section that you refer to is really instructions to the joint committee to undertake a study of certain subjects within the total area of aquatic lands. One of those subjects is to make a recommendation concerning the establishment of an administrative fee for residential recreational dock. The Senate ad hoc committee who had studied this before, came to the conclusion that for the department of natural resources to establish a lease agreement, would have to have an appraisal which would be a very costly process to administer for each recreational dock for each private property owner.

"We recommended, at that time, that an alternative to that should be the establishment of some kind of an administrative fee in lieu of a rental agreement based upon an appraised price. Our recommendation at that time was that the administrative fee should be enough to cover the cost of administration and also the cost of the value of the property on which the dock is located. So the fee should be, in effect, a rental alternative."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 4824, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 2; excused, 3.

Voting yea: Senators Bauer, Benitz, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott,

Metcalfe, Moore, Newhouse, Patterson, Peterson, Pullen, Rasmussen, Ridder, Scott, Sellar, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—43.

Voting nay: Senator Shinpoch—1.

Absent or not voting: Senators Bluechel, Quigg—2.

Excused: Senators Hughes, Lysen, Talley—3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4824, having received the 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 Clarke, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

March 18, 1982.

Mr. President: The House insists on its position regarding the amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4675, and again asks the Senate to concur therein, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Kiskaddon, the Senate refuses to concur in the House amendments to Engrossed Substitute Senate Bill No. 4675 and once again asks the House to recede therefrom.

MESSAGE FROM THE HOUSE

March 17, 1982.

Mr. President: The House has passed SUBSTITUTE SENATE BILL NO. 4201 with the following amendment (adopted March 17, 1982):

On page 42, after line 5, insert the following new section:

"**NEW SECTION.** Sec. 35. The commissioner shall by regulation establish the amount of the filing fee for filing insurance rates and forms. In fixing said fee, which shall not exceed twenty dollars per filing, the commissioner shall, insofar as practicable, fix the fee in such a manner that the income will match the anticipated expenses to be incurred in connection with the regulation of rates and forms filings as required by statute."

Renumber remaining sections consecutively, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

Senator Sellar moved the Senate concur in the House amendment to Substitute Senate Bill No. 4201.

REMARKS BY SENATOR SELLAR

Senator Sellar: "Thank you, Mr. President. This is the valuation and nonforfeiture life insurance bill. Basically, the House put a section, a new section on the bill that allows the insurance commissioner to charge a fee up to, but not exceeding, \$20.00 for filing. And the fee will go into the general fund and will be subject to

legislative appropriation in whatever amount the insurance commissioner needs to handle the action of the act."

REMARKS BY SENATOR BOTTIGER

Senator Bottiger: "Mr. President, I move that Senator Sellar's remarks concerning the explanation of the bill be included in the journal, and I may speak to the motion.

"Mr. President, I would just like to explain why. Normally, I was going to ask a question, and the reason I want it in the journal is to make sure that it is understood that it is subject to appropriation as opposed to being a revolving fund."

REMARKS BY SENATOR SELLAR

Senator Sellar: "Mr. President, that is correct. It will not be a revolving fund, it will be subject to legislative approval."

The motion by Senator Sellar carried and the Senate concurred in the House amendment to Substitute Senate Bill No. 4201.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 4201, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—45.

Absent or not voting: Senator Craswell—1.

Excused: Senators Hughes, Lysen, Talley—3.

SUBSTITUTE SENATE BILL NO. 4201, 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

At 3:28 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 4:42 p.m.

MOTION

On motion of Senator Clarke, the Senate returned to the first order of business.

REPORT OF STANDING COMMITTEE

March 19, 1982.

SENATE BILL NO. 4992, modifying the tax advisory council (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Scott, Chairman; Bauer, Haley, Hayner, Jones, Lee, McDermott, Wojahn, Zimmerman.

Passed to Committee on Rules for second reading.

MESSAGE FROM THE HOUSE

March 18, 1982.

Mr. President: The House refuses to concur in the Senate amendments to HOUSE BILL NO. 1084, and asks the Senate to recede therefrom, and said bill with the attached amendments is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

Senator Kiskaddon moved the Senate do recede from the Senate amendments to House Bill No. 1084.

Debate ensued.

The motion by Senator Kiskaddon carried.

The Senate receded from the Senate amendments to House Bill No. 1084.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1084, without the Senate amendments, and the bill passed the Senate by the following vote: Yeas, 40; nays, 3; absent or not voting, 3; excused, 3.

Voting yea: Senators Bauer, Benitz, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Haley, Hansen, Hemstad, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody—40.

Voting nay: Senators Guess, Metcalf, Zimmerman—3.

Absent or not voting: Senators Bluechel, Hayner, Sellar—3.

Excused: Senators Hughes, Lysen, Talley—3.

HOUSE BILL NO. 1084, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REMARKS BY THE PRESIDENT

President Cherberg: "Honored and esteemed members of the Senate, ladies and gentlemen. It appears as if we can't get out of the next occurrence, but at any rate, the President would like to respectfully request of Senator Jones and Senator Fleming, that you please act as a committee of two to escort the shifty, shilly-shallying, simple-minded Senator from Omak to the rostrum. (You wrote it!!)

"This hundred million dollar show has been produced, the President believes, by the Honorable Cecil B. DeMille Dianne Woody. Where are you Dianne? I have a very pleasant surprise for you; you are going to act as mistress of ceremonies."

REMARKS BY SENATOR WOODY

Senator Woody: "Mr. President, thank you. It is my honor to introduce Senator Wilson's wife, Lynn. Would you please stand? His son, 'Duff,' his mother-in-law, Mrs. Laskey; and his friends from Omak Mr. Tom McKay and his wife, Louise. Please stand."

President Cherberg: "A resolution. The Secretary will please read."

Senator Woody: "From the top, please."

SENATE RESOLUTION

1982—209

By Senators Goltz, Zimmerman, Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Gould,

Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talley, Talmadge, Vognilid, von Reichbauer, Williams, Wilson, Wojahn and Woody; Lieutenant Governor John A. Cherberg; Sid Snyder, Secretary of the Senate; Marilyn Brachtenbach, Deputy Secretary of the Senate; and Fred Hildebrand, Sergeant at Arms:

WHEREAS, The young Bruce Wilson heeded the famed Horace Greeley's advice and came west from the prairies of North Dakota, first to the Palouse and thence to the hill, tree and cattle country of the Okanogan; and

WHEREAS, He built a solid reputation as a perceptive, incisive and crusading publisher and editor of the Ritzville Journal-Times, the Lind Leader, and the Omak Chronicle; and

WHEREAS, Bruce Wilson also became known far and wide as a civic leader, master of ceremonies and raconteur par excellence; and

WHEREAS, His interest in politics was truly whetted when he joined forces with the inimitable Henry "Hank" Gay to form the "Wilson Weakly Players," whose sole objective was to puncture the balloons of bombast among the nattering nabobs of Olympia; and

WHEREAS, Once elected Senator, Bruce came to represent the largest single geographic district in our glorious state of Washington, requiring him to stump farther for a vote than any other legislator; and

WHEREAS, As Senator and Chairman of the Local Government Committee, he will be remembered for many achievements, among which are:

— The bid limit law for county government, which settled many years of conflict;

— The school transportation allocation formula, one of the landmark laws which assists both local and state governments, providing a lasting symbol of true respect; and

— The Washington Sunset Act, which really gives us an opportunity to retire those in state government who deserve peace and rest; and

WHEREAS, He has always been an advocate of a free press, a free lunch and a free sip of good cheer, but has never been known to extend that philosophy to his newspaper advertisers; and

WHEREAS, The _____, _____ and _____ (to be completed with words of your choice from the attached "All-purpose Senatorial Identification Catalogue") Merilynn Wilson has also served, as a community college trustee and as a notable singer at newspaper conventions; and

WHEREAS, Bruce A. Wilson, _____, _____ and _____ (to be completed with words of your choice from the "All-purpose Senatorial Identification Catalogue") Senator from the Seventh Legislative District, has voluntarily chosen to conclude his distinguished legislative career without giving his constituents another crack at him in the fall of 1982; and

WHEREAS, Bruce and his gracious wife, Merilynn, have brightened these marble halls since 1969 with their wit, charm, good humor and wisdom, including sage advise as to what murals should or should not adorn these hallowed walls; and

WHEREAS, We should be mindful of the timeless prose uttered by Bruce on one of the many occasions when he himself was a resolution presenter:

POINT OF PERSONAL PRIVILEGE

Senator Wilson: "Mr. President, I feel personally that all of us should be grateful that though there are about three and one-half million citizens of Washington State, only 37 are in the gallery watching the performance tonight."

(Journal of the Senate – April 23, 1981)

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the State of Washington, all of its members and families concurring, duly recognize the continuing achievements of this singular grammarian, humorist and Mark Twain of our day with a heartfelt, "Thank you;" and

BE IT FURTHER RESOLVED, That Bruce and Merilynn will be sorely missed, she in the gallery with her knitting and he on the floor with his nitpicking; and

BE IT FURTHER RESOLVED, That Bruce not be allowed to remove himself far enough from us to prevent our seeking his counsel in time of need to come; and

BE IT FURTHER RESOLVED, That Bruce and Merilynn Wilson be extended our deepest good wishes for coming days of serenity and contentment, whether at their peaceful cabin in Secret Cove, on their famous world travels or in any other place they choose to be.

REMARKS BY SENATOR GOLTZ

Senator Goltz: "I move the adoption of the resolution. I would like to, at least say a few remarks, very briefly. I would like to say that, first of all, unlike many of us, Bruce doesn't talk enough in these halls because when he does, like that Hutton fellow, everybody listens. There's one thing I think that Bruce ought to be able to do in retirement, and that is to be able to improve his cribbage game. I have been entered into three tournaments with Bruce, and we have lost each one to our wives, by rather substantial margins, even though Bruce sometimes uses a technique which he calls a 'point enhancement procedure,' the 'PEP' procedure, and it is, if you play cribbage, the time when you can move the peg across into another lane and completely disrupt the current score; and if nobody knows where the peg was before, you can usually gain a couple of holes from time to time.

"Anyway, when I saw those three blanks there to put in the adjectives, I found three that weren't in the list. I went to the complimentary side of the list, incidentally, and I would like to add three words on my resolution that I think describe Bruce Wilson. He is kind and gentle and thoughtful, and I am going to miss him."

REMARKS BY SENATOR ZIMMERMAN

Senator Zimmerman: "Members of the Senate, and of course Bruce himself. Bruce Wilson, having been a midwesterner and actually having known him before he was in the legislature, it was my privilege and pleasure to watch him as president of the weekly newspapers association and I was also privileged to be a member and participant in one of those roles of 'Wilson's Weekly Players,' because I played the role of Bert Cole, the land commissioner in the script that Bruce and Hank Gay wrote, and of course Bruce's ability as a writer is, probably about here, in terms of the state's weekly editor-publishers.

"He also, of course, was one who participated in all of the activities of that organization through the years, and of course this is a nostalgic touch for me, personally, that Lynn and Bruce and their youngsters, particularly their son Terry was of an era of the particular age of our kids, and so consequently we had a good time before getting into politics.

"And it was my privilege, of course, to serve with Bruce and to follow Bruce in the terms of the local government activity, having been on the other side of the building and then at the time that we changed here.

"I just want to express the fact of the gentlemanly way in which he has functioned and the incredible manner that all of us know; and I picked off of my sheet, 'eloquent, level-headed, and statesman-like,' and of course there are many others

that fit Bruce and of course I really prefer to sing with Merilynn, with Lynn, and as far as Bruce's tolerance of that, thank you very much, and best to you both."

REMARKS BY SENATOR McCASLIN

Senator McCaslin: "Mr. President, ladies and gentlemen of the Senate. I rise to speak on a point of personal privilege because in introducing, one of the great things about being a freshman, is you can sit back here and see all the heads and faces of you senior Senators. And when the President was introducing Senator Wilson, you were all talking until he got to 'simple-minded,' and then everyone stopped talking because they wanted to see who the President was talking about.

"Unfortunately, it was Senator Wilson, so I would ask that you strike the word 'simple-minded' and replace it with something so we can identify Senator Wilson."

REMARKS BY SENATOR CHARNLEY

Senator Charnley: "Thank you, Senator Woody. I guess there's only one word that is missing on here and it is the word I would use in my association with Bruce and my pleasure working with him, and that's 'friend' and I am proud to call him one of mine."

REMARKS BY SENATOR HURLEY

Senator Hurley: "I want to say a few words in support of the resolution and to say how much I appreciate my colleague from eastern Washington. I especially appreciate his humor that I enjoyed so much; his long-winded speeches in caucus; his three-part questions, four-part, five-part, six-part that always amazed and befuddled everybody in caucus.

"But I certainly value his friendship and admire his talent, and I certainly wish that you, Bruce, will have a most happy retirement."

REMARKS BY SENATOR BLUECHEL

Senator Bluechel: "Mr. President and Senator Wilson. I would like to tell you my thoughts about how I feel about you leaving. You and I have had many battles in the local government committee. You have won most of them, occasionally you lost one, and I will say that of all the people who have ever lost a battle, a hard-fought battle, in particular the 'bidding wars' which were referred to, you have been the most genial and accepting and thoughtful person on that, and it brought out your true character as a real person with feeling for everybody and I commend you very highly for your service to the legislature."

REMARKS BY SENATOR SELLAR

Senator Sellar: "Thank you. Having shared mutual borders district-wise with Bruce, I very much appreciate the cooperation that he has given me. The first time I campaigned, I acquired through redistricting, a part of Bruce's district, and the most difficult thing I had to do is knock on doors and ask for their vote and they said, 'But I want to vote for Bruce Wilson,' and I said 'Well, I do too, but neither one of us can.' And that was the difficulty that I had because I found out the reverence that the people had in the seventh district for Bruce Wilson, and very justifiably so.

"And I, too, had the privilege of serving on a committee with Bruce as chairman, and the word that comes to mind is 'first always and foremost, a gentleman.'

"Thank you, Bruce, we'll miss you a lot."

REMARKS BY SENATOR GOULD

Senator Gould: "Thank you, madam chairman. I'd like to add my accolades to a person who I think I first got to know when we were in the sunset committee, and since then, have learned to appreciate in local government committee, and particularly in the energy committee, which is not easy for anybody on that committee.

"I found that Bruce is one who always knows how to get to the heart of an issue, and to sum it into something all of us can understand. So many of the issues in the energy committee are very technical or seem complex, and he was always able to come up with a situation, presenting it to us in its simplest terms and we could all find out what we really felt about the issue.

"I also want to thank him for his wise counsel on matters of procedure, even when I didn't need them. Thank you."

REMARKS BY SENATOR GASPARD

Senator Gaspard: "Thank you, Bruce. Now you know why we're all here today — it's not the budget.

"But in researching the journal, I think an appropriate quote for an occasion like this, is that we are really looking for that 25th vote to pass this resolution. We tried it a couple of days ago but you weren't here.

"Bruce, my introduction to you was by the way of Senator Knoblauch. He called me up after he had retired from the Senate and I was elected to replace him. He suggested that I give good consideration to Senator Wilson for caucus secretary, that he was a good man, and Bruce, I've never been disappointed.

"I think that if I can just think of a few words that would describe my feeling about your performance and your career in the legislature and my friendship with you, that you've always been seeking the common good; and I think you symbolize, to me anyway, a legislator's legislator.

"And I wish you and Merilynn many happy island vacations."

REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "Yes, I will miss Bruce. When the going got rough, Bruce would say, 'Now is the time to get up, get up!' And then I would get up on the floor. Now I won't know what to do.

"But I did want to tell you that I'm sure his wife, Merilynn, has kept him in stitches, I know she taught my wife some new stitches in watching that knitting going on and she is a real expert. And Bruce is a real expert on legislation. I hope he comes back, keeps us in line; if nothing else, just send us a line and tell us when we get out of line. And you are good at that.

"Appreciated having you on my left hand, and call me up and tell me when to get up. Thank you, Bruce. I am sorry you're leaving. You can see my powers of persuasion — I've been telling him all session, he ought to run again; haven't convinced him yet, but there are still a few days left, I guess — Senator Clarke, a few days left of this session? One; I got one more day to work on you then, Bruce."

REMARKS BY SENATOR McDERMOTT

Senator McDermott: "Bruce, I support Slim and I have had the pleasure of your immediate counsel on all matters at all moments. You told Slim to stand up, and me to sit down. There's nothing like being in the middle of a speech and having somebody in front of you mumble, 'What do you mean by that?' I don't know how I am ever going to do without you.

"I think others have said it but I think it deserves to be said again. There's no one in our caucus whoever was any better at asking a question to lay the matter

open on the table than you. And that's the very thing that we will miss a great deal in our caucus — somebody who could pierce to the heart of the matter and make us stop and look at the issue; and we'll miss you a lot for that."

REMARKS BY SENATOR LEE

Senator Lee: "Bruce, I think I will never forget you being one of the very best teachers, counselors, and gentlemen of all the persons that I've known in my legislative experience so far. I could well recall several times when there were issues that I felt needed to be taken care of, and no one could seem to give me a clue as to how was the best way to proceed, speaking particularly as being a freshman legislator in that particular year.

"And when I would go to you, you'd say, 'Well, sure, there's a way to do that,' and could solve the problem and see that the job got done in a most chivalrous manner. Many times if you would wish to do so, you probably could have decided either to claim credit or to see that someone from the opposite party didn't get the opportunity to make that kind of progress. But that was never your objective. It always seemed your objective was to see that the very best in legislation was promoted and passed and that which did not meet that criteria, was thwarted, but still in a gentlemanly manner.

"I appreciate it and will miss you."

REMARKS BY SENATOR HANSEN

Senator Hansen: "Thank you. Bruce, I am going to miss you in a different way. As you know the Democrats across central Washington are few and far between, and when you leave I stand alone; so I am going to leave it up to you to get a strong candidate to help me protect central Washington."

REMARKS BY SENATOR DECCIO

Senator Deccio: "Well, I was going to vote for this resolution, Madam Chairman, but I just heard that Senator Wilson was responsible for first getting Senator Rasmussen on his feet, which you know what has happened — he won't sit down.

"And also, I think that anybody's that prejudiced and would not vote for the geoduck and clam bill just because he hadn't heard from them, makes me wonder whether all these things I've heard all these years are true.

"In the little message that I put in the scrap book, I referred to Bruce as the 'Mark Twain' of the Okanogan and I think I am right. And I wish you lots of luck."

Senator Woody: "Senator Wilson, these four honorable gentlemen have a few words to say in your behalf. As I put it to them: to you, for you, or about you. Senator Lewis."

REMARKS BY FORMER SENATOR BOB LEWIS

Senator Lewis: "Thank you, Senator Woody. Governor Cherberg, members of the Senate and friends, Senator Wilson especially.

"Will Rogers said he never met a man he didn't like. I think something can be said about Bruce Wilson that can't be said about Bob Lewis and probably can't be said about very many other people in this room. But honestly, I have never met a person who did not like Bruce Wilson. I think all of us can consider ourselves privileged to be counted among his friends. Bruce."

REMARKS BY FORMER SENATOR REUBEN KNOBLAUCH

Senator Knoblauch: "Mr. President, Senator and Mrs. Wilson and son, ladies and gentlemen of the Senate, friends of Senator Wilson in the gallery, members of the press, ladies and gentlemen.

"Today is a very important day in the life of a very fine man, a man who made a record the first two years that he was in the Washington State Senate, a most unusual thing that freshman could become so respected in such a short time.

"Today Senator Wilson is surrounded by friends who come to say 'good-bye' to a man who has brought credit to the word 'politician.' Senator Wilson is a very rare individual with the fine sense of humor and a person so well respected.

"Five years ago I stood here and made my retirement speech after twenty-four years in the state Senate. And I wanted to thank my many friends who have been good to me for so many years; and I recited a poem called 'Friends That Mean So Much To Me,' and today let me dedicate that poem to Senator Wilson and to tell him that he is surrounded by so many friends.

" Life is sweet because of the friends we have made
And the things which in common we share.
We want to live on, not because of ourselves
But because of the people who care.

" It's giving and doing for somebody else
On this all of life's splendor depends.
And the joy of this world when you've summed it all up
Is found in the making of friends.

"Senator and Mrs. Wilson, I'd like to also wish you many, many years of happy retirement and to thank you for our many years of friendship and to say to you 'Well done, thou good and faithful servant.'

"Thank you very much."

REMARKS BY FORMER SENATOR GORDON SANDISON

Senator Sandison: "Thank you, Senator Woody; Governor Cherberg, members of the Senate, Mr. and Mrs. Wilson. Nice to see you leaving.

"I have been around here long enough to know that when it comes close to dinner time you don't talk too long in this place — you'd get your head torn off.

"I was a member here when Bruce came in to the place. Several of my friends had told me he was an unusual person, and I certainly agreed with them after I'd been around him for a while.

"Bruce, I can't help but think you're going to have a good retirement; you are a very relaxed person; you understand things and you handle them very well. I always appreciated when you spoke; I didn't know what you were talking about but I liked the way you said it.

"And I just wish you and your wife the best."

REMARKS BY FORMER SENATOR BOB BAILEY

Senator Bailey: "Mr. President, members of the Senate, and Bruce and Lynn.

"I haven't been over for five years and quite a few changes have taken place and faces, and I even see one face that changed here since I was here.

"Senator Wilson, this is not your first retirement. I don't know how many more we are going to go through but I remember in 1970, about, you retired once before because we redistricted him out of office; and at that time we had a Senate tradition that you took care of yourself and to hell with the other guy, and Bruce lost his job.

"And I noticed the other day when I was looking at the new district lines, that you haven't abandoned that position at all.

"I think that in the Senate caucus you and I have had kind of a parallel career; I was Senate caucus chairman for a long, long time, forever almost, and Bruce always wanted to have the caucus job and he couldn't get me out; he wanted to get Reuben out, he wanted to be secretary and he had to wait for both of us to retire and he made a darned good secretary; we maybe should have called on him sooner.

"Bruce was in the newspaper business; I was in the newspaper business; I went broke and he went out and sold his so he's doing pretty well in retirement, I think, I hope.

"But Bruce, just in case you want to run again, I got a little pin here for you and I want to pin it on you. It's a pin that says, 'Elect Wilson,' the only trouble with it, it says 'Elect Woodrow Wilson.'"

Senator Woody: "Thank you, Bob. That is a real collector's item.

"I would like to ask at this time if Mr. Eugene Green would approach the rostrum."

REMARKS BY EUGENE GREEN

Eugene Green: "Governor, members. Staff, too, has put together a resolution and it's Senate staff resolution 1982—1.

"WHEREAS, Senate staffers are known for their judicious characterization of the honorable members who have graced this chamber; and

"WHEREAS, Senator Bruce A. Wilson who has eaten in some of the world's finest restaurants, insists on stirring his coffee with a pencil, eraser pointed down; and

"WHEREAS, Senate Wilson once passed out of committee, twenty-two bills in thirteen minutes and the following day had the nerve to ask staff what was in them; and

"WHEREAS, Only Senator Wilson could jump for joy when informed that a third traffic light had been installed in his legislative district; and

"WHEREAS, When asked where he found the time to correct the grammar in so many bills, he curtly responded that he lets his wife do all the driving; and

"WHEREAS, It appears that a number of staff questions will never be answered, for example, why must all notes be on magenta colored paper? Why do you insist on thirty copies of each floor speech and proceed to lose them all? Why have you never cleaned out the l's in your ancient typewriter? And why do you insist on staff playing devil's advocate, and yet continue to get angry when staff presents the more logical arguments? And why have you never competed in the Omak stam-pede?; and

"WHEREAS, When asked by a certain urban geographer after he had testified at your local government hearing, if the members had any questions, you immediately asked him why he had previously redistricted you out of the legislature; and

"WHEREAS, In response to a staff query as to how it felt to be in the minority, you replied, "it is great; you just bitch, bitch, bitch and vote no, no, no.'

"NOW, THEREFORE, BE IT RESOLVED, That the many victims of your wry and dry wit have had their day in court.

"BE IT FURTHER RESOLVED, That Senator Bruce A. Wilson, extra-ordinary observer of human nature and folly, and your gracious wife, Merilynn, enjoy your much-deserved retirement from the Washington State Senate and staff.

"Senator Wilson, I know that I am speaking for all staff who have had the honor of serving you, that you will be sorely missed, wit and all, and that we are all better people for having made your acquaintance. Thank you."

REMARKS BY SENATOR WOODY

Senator Woody: "Thank you very much. At this time it is my pleasure to introduce Senator John Jones who will make a presentation to Senator Wilson on behalf of the Senate."

REMARKS BY SENATOR JONES

Senator Jones: "Thank you, fellow members, and guests. Bruce, all the good lines are gone, I think they have stolen every good line going along here. I was going to use the geoduck thing and your expertise as an art critic, or really, just a critic of art.

"One thing before you leave, you've got my good gold pen; I don't want you to leave without handing it back to me here.

"Would you step up here so I can make a presentation to you, Bruce? You've always appreciated humor and I think that's been one of the things that has been particularly beneficial to me in understanding; and there are a few tips I want to get out of that caucus from you, and later on we'll talk about it, because of the members of the majority seem to think it's okay to bitch, bitch, bitch and vote no, no, no. (God, I've been waiting for that opportunity!)

"If I may read the inscription, it's a microphone, a marble plaque and it says, 'To Senator Bruce Wilson from your colleagues in the Washington State Senate; who said you can't take it with you?'

"Alaskan marble is from the state capitol, circa 1928. Bruce."

REMARKS BY SENATOR WOODY

Senator Woody: "It is now my honor to introduce Senator George Fleming."

REMARKS BY SENATOR FLEMING

Senator Fleming: "Bruce, Mrs. Wilson, it is indeed an honor today. I guess I could stand here and tell a lot of old war stories and try and repeat some of the things that other members have had to say but I think I'll not do that.

"But I would like to express my appreciation, as caucus chairman and you as vice-chairman for filling in for me so many times, and the next time I come back to caucus, there's a motion before the caucus to replace me. You do such a great job and we're going to miss you. We're not only going to miss you from a selfish point of view by the fact that you are that democrat out there in eastern Washington that we'd like to see run again this year; but also because you, as an individual, high above anything, I think it's important to know that not only have you helped me in the caucus, but when I first came to the Senate, and then you came back to the Senate again and as chairman of local government, I think you and Senator Talley, more than anyone else, helped me struggle my way through as chairman of local government and get half-way knowledgeable about the issues.

"I'd like to take this time to make this presentation to you, Bruce. In making this presentation, I hope that you and your wife have many, many wonderful and warm hours together in your retirement. We will miss you; we will not forget you.

"I would like to read the inscription: 'Senator Bruce A. Wilson, in appreciation of your public service, Washington State Senate, District No. 2 in 1969 through 1973; and Washington State Senate District No. 1975 through 1982.'

"Bruce, we want to thank you for your many hours of public service to your district and also to your colleagues here in the Senate. Thank you very much."

REMARKS BY SENATOR WOODY

Senator Woody: "At this time I am going to return the gavel to the President of the Senate, the Honorable — my coach says John Cherberg. Thank you, John."

REMARKS BY PRESIDENT CHERBERG

President Cherberg: "Thank you very much, Senator Woody; you've done a grand job and we are all proud of you.

"Lynn, Bruce and other ladies and gentlemen of the Senate and our very friendly guests in the gallery. As one of the great golfers of all time, Walter Hagen, once said, 'It's always nice to smell the flowers while still around to enjoy them.'

"Now this genuine outpouring of affection, admiration and respect for you and Lynn is something that you truly deserve and have certainly honestly earned. Over the years — and believe me, it's over twenty-five now — it has been my sincere privilege to have served with many, many outstanding members of the Senate, many of whom are present here today. And I'm not going to say that your name like Abou Ben Adhem lead all the rest, but believe you me, your name is up at the top. And I am sure that every member that's ever served with you joins with me in that particular thought.

"Now I have a little something here for you that the members of the legislature have requested on your behalf; it's a little presumptuous in my mind to designate you a 'distinguished citizen' because that's something that you've been all your life; but at any rate, it's in recognition and appreciation of your courtesy, kindness and dedication; political acumen, economic foresight, and responsibility to the people as a journalist and state Senator which has resulted in a remarkable contribution to the well-being of the world.

"And we hope that you and Lynn are going to travel a lot, and therefore you are being designated an 'ambassador of good will.' May your persistent enthusiasm, your wisdom, and the warmth of your personality be dedicated to extolling the charms of Washington state as you travel the thoroughfares of the world.

"I don't know whether you are a Washington general or not, but you are now. You have been commissioned a Washington general.

"I had a real flashy ending, but I, the memory is the second thing to go, I forgot. But anyhow, Betty and I wish you the very best of everything and many, many years to come."

REMARKS BY SENATOR WILSON

Senator Wilson: "Well, Governor, what was your name again? Governor Cherberg, Senator Woody and all of you — I've decided to run again. I want to thank you for the wonderful send-off.

"I didn't deserve anything like this. It's really wonderful to have the McKays and Maybelle and my son 'Duff' there, and my secretary Hazel Lowe who has been with me all these twelve years and has simply been indispensable and has been my partner in so many things; and Dianna Mitzner, my legislative aide; and of course my wife Merilynn who has meant everything to me and has helped me far more than I can ever express to you.

"I think this was — except for the staff resolution — I think this was a wonderful program which took too much of the Senate's time and I feel very honored. I want you to know that I shall miss all of you greatly; that I will be leaving the Senate with no bitterness or hostility or disappointment, or whatsoever. It has been a tremendous experience to represent the people of my area in this body and to work and be associated with really, such a fine group of people as all of you are.

"It is simply that Merilynn and I felt that twelve years was sufficient; it has been a great time and there are some other things we'd like to do and we thought it

was time to move into some other areas. But I will look back upon these days with great affection with nothing but the fondest of memories.

"I want to thank, particularly, of course, the former members of the Senate who have dropped by. I saw them in the wings there, and decided, 'Well, I guess if this is the only way we can get enough votes to pass the budget, they'll have to participate.'

"I am sure there are a lot of things I ought to be saying that I am neglecting; I thank so many of you for your kind words and also Eugene Green, of course; it has simply been a great privilege and the greatest experience of my life to serve in this body. I shall always remember the days that I spent here and Governor, members of the Senate, former members, McKays and 'Duff' and Hazel and everybody else, I do thank you for the events of the past hour or whatever it took.

"Thank you very, very much."

Senator Hurley lead everyone is singing "Auld Lang Syne."

REMARKS BY SENATOR HURLEY

Senator Hurley: "Mr. President, I would like to invite all members, friends and staff, to the reception that is to be held in Senators Wilson's and Mrs. Wilson's honor in the members' lounge immediately after recess, or whatever; we are pretty fluid around here."

REMARKS BY PRESIDENT CHERBERG

President Cherberg: "Senator 'Eagle-eye' Rasmussen has called the President's attention to the presence of three other very distinguished former members of the Washington State Senate, the Honorable Senator Bob Ridder, and the Honorable Nat Washington.

"And lurking among the pillars in the outer foyer, is the Honorable Senator Mardesich. Where are you? Senator August Mardesich. Where are you? Senator August Mardesich surrenders.

"Well, ladies and gentlemen, it's a beautiful day but also a sad day."

MOTION

At 5:43 p.m., on motion of Senator Newhouse, the Senate recessed until 8:00 p.m.

EVENING SESSION

The President called the Senate to order at 8:00 p.m.

At 8:02 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 9:47 p.m.

MOTION

At 9:48 p.m., on motion of Senator Clarke, the Senate adjourned until 10:00 a.m., Saturday, March 20, 1982.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

NINTH DAY

MORNING SESSION

Senate Chamber, Olympia, Saturday, March 20, 1982.

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 Haley, Lysen, McDermott, Pullen, Rasmussen, Talley and Williams. On motion of Senator Ridder, Senators Lysen, McDermott, Rasmussen, Talley and Williams were excused. On motion of Senator Bluechel, Senators Haley and Pullen were excused.

The Color Guard, consisting of Pages Julia Gregson and Rene Stark, presented the Colors. Reverend Lee Forstrom, pastor of Westwood Baptist Church of Olympia, offered the prayer.

MOTION

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

SIGNED BY THE PRESIDENT

The President signed: SUBSTITUTE SENATE BILL NO. 4201.

MOTION

On motion of Senator Clarke, the Senate advanced to the seventh order of business.

THIRD READING

ENGROSSED SENATE JOINT MEMORIAL NO. 115, by Senators Bauer, Patterson, Talley, Hansen, Quigg, Benitz, Sellar, Hayner and Zimmerman:

Opposing imposition of user fees to fund federal navigation projects.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Joint Memorial No. 115.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Joint Memorial No. 115 and the memorial passed the Senate by the following vote: Yeas, 41; nays, 1; excused, 7.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallaghan, Gaspard, Goltz, Gould, Guess, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Wilson, Wojahn, Woody, Zimmerman—41.

Voting nay: Senator Charnley—1.

Excused: Senators Haley, Lysen, McDermott, Pullen, Rasmussen, Talley, Williams—7.

ENGROSSED SENATE JOINT MEMORIAL NO. 115, having received the constitutional majority, was declared passed.

PERSONAL PRIVILEGE

Senator Wilson: "Mr. President, members of the Senate. I would like to express my gratitude to all of you for the rather extravagant farewell celebration which was conducted in this chamber yesterday.

"I realize that many of the kind words from the floor, were spoken by people who still need my vote on one issue or another, but nonetheless I say from the bottom of my heart, and my wife Merilynn joins me in this, we surely did appreciate what happened here and we will always remember it. Thank you."

MOTION

On motion of Senator Clarke, the Senate returned to the sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 3783, by Committee on Ways and Means (originally sponsored by Senators Craswell, Jones and Scott):

Authorizing physical revaluation of property every six years if statistical adjustments are made.

The Senate resumed consideration of Substitute Senate Bill No. 3783. On March 17, 1982, the substitute bill had been substituted for the original bill. Senator Hansen had moved adoption of an amendment and an amendment to the amendment by Senator Hansen had been moved for adoption by Senator Deccio.

On motion of Senator Hansen, there being no objection, the amendment moved for adoption on March 17, 1982 was withdrawn.

Senator Hansen moved adoption of the following amendment:

On page 2, after line 22, insert:

"If the property owner believes that the valuation of the property as listed by the assessor is not the current true and fair value of the property, the owner may authorize a public auction of such property pursuant to the procedures provided in chapter 6.24 RCW. If, at the time of the auction, the selling price of the property is less than the valuation as listed by the assessor, the county shall be liable to the pre-auction owner for the difference. If, at the time of the auction, the selling price of the property is more than the valuation as listed by the assessor, the county treasurer shall receive the difference on behalf of the county."

On motion of Senator Shinpoch, the following amendment to the amendment by Senator Hansen was adopted:

On line 7, following "RCW" and before the period insert:

": PROVIDED, That such auction may not occur prior to a formal administrative appeal, as provided in title 84 RCW, if such appeal did not result in a reasonable reduction in assessment"

Debate ensued.

POINT OF INQUIRY

Senator Goltz: "Senator Clarke, following up on your remarks, I would like to ask your opinion about whether or not this is covered by initiative 62; and whether or not the imposition of this particular obligation upon a county by the state, would, in itself, turn back upon the state the obligation to pick this up?"

Senator Clarke: "If I were representing the county, I would certainly so urge, Senator."

Senator Hansen demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senator Hansen as amended by Senator Shinpoch.

ROLL CALL

The Secretary called the roll and the amendment, as amended, was not adopted by the following vote: Yeas, 20; nays, 22; excused, 7.

Voting yea: Senators Bauer, Bottiger, Conner, Craswell, Deccio, Gallagher, Gaspard, Goltz, Hansen, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Sellar, Vognild, von Reichbauer, Woody—20.

Voting nay: Senators Benitz, Bluechel, Charnley, Clarke, Fleming, Fuller, Gould, Guess, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Ridder, Scott, Shinpoch, Talmadge, Wilson, Wojahn, Zimmerman—22.

Excused: Senators Haley, Lysen, McDermott, Pullen, Rasmussen, Talley, Williams—7.

PERSONAL PRIVILEGE

Senator Hansen: "I want to thank the floor of the Senate. I think we have given the department of revenue a message and I think it's high time they got the message and if they don't heed that message, I guarantee we'll pick up another two votes next time."

MOTION

Senator McCaslin moved adoption of the following amendment:

On page 3, after line 15, insert the following:

"Sec. 4. Section 2, chapter 155, Laws of 1980 and RCW 84.40.030 are each amended to read as follows:

All property shall be valued at one hundred percent of its true and fair value in money and assessed on the same basis unless specifically provided otherwise by law. Except as otherwise provided in RCW 84.34.060, in determining the true and fair value of all property and improvements, the assessor shall consider only the use to which such property and improvements are currently applied and shall not consider potential uses of such property: PROVIDED, That vacant structures shall be valued at their current market value.

Taxable leasehold estates shall be valued (~~at such price as they would bring at a fair, voluntary sale for cash~~) without any deductions for any indebtedness owed including rentals to be paid. Notwithstanding any other provisions of this section or of any other statute, when the value of any taxable leasehold estate created prior to January 1, 1971 is being determined for assessment years prior to the assessment year 1973, there shall be deducted from what would otherwise be the value thereof the present worth of the rentals and other consideration which may be required of the lessee by the lessor for the unexpired term thereof: PROVIDED, That the foregoing provisions of this sentence shall not apply to any extension or renewal, made after December 31, 1970 of the term of any such estate, or to any such estate after the date, if any, provided for in the agreement for rental renegotiation.

The true and fair value of real property for taxation purposes (including property upon which there is a coal or other mine, or stone or other quarry) shall be based upon the following criteria:

(1) Any sales of the property being appraised or similar property with respect to sales made within the past five years. The appraisal shall take into consideration (~~political restrictions such as zoning as well as~~) physical and environmental influences. The appraisal shall also take into account, (a) in the use of sales by real estate contract as similar sales, the extent, if any, to which the stated selling price

has been increased by reason of the down payment, interest rate, or other financing terms; and (b) the extent to which the sale of a similar property actually represents the general effective market demand for property of such type, in the geographical area in which such property is located. Sales involving deed releases or similar seller-developer financing arrangements shall not be used as sales of similar property.

(2) In addition to sales as defined in subsection (1), consideration may be given to cost, cost less depreciation, or reconstruction cost less depreciation(~~(or capitalization of income that would be derived from prudent use of the property)~~). In the case of property of a complex nature, or being used under terms of a franchise from a public agency, or operating as a public utility, or property not having a record of sale within five years and not having a significant number of sales of similar property in the general area, the provisions of this subsection (2) shall be the dominant factors in valuation. When provisions of this subsection (2) are relied upon for establishing values the property owner shall be advised upon request of the factors used in arriving at such value.

(3) In valuing any tract or parcel of real property, the value of the land, exclusive of structures thereon shall be determined; also the value of structures thereon, but the valuation shall not exceed the value of the total property as it exists. In valuing agricultural land, growing crops shall be excluded.

(4) In valuing any building with an unconventional heating, cooling, domestic water heating or electrical system before December 31, 1987, the value placed on the building shall not exceed the value which would be placed on the building if it had a conventional system.

NEW SECTION. Sec. 5. Section 4 of this act shall be effective for assessments for taxes due in 1983 and thereafter."

Renumber the sections consecutively and correct any internal references accordingly.

Debate ensued.

POINT OF INQUIRY

Senator Quigg: "Senator McCaslin, it looks to me, going over your amendment, that the operative part of the amendment that does what you want it to do is on page 1 between lines 13 and 24; but I notice there is also some stricken language in the rest of the amendment that doesn't really seem to fit. Is it your intention to have all that in there? That stricken language as well?"

Senator McCaslin: "No, the main thrust of my amendment, Senator Quigg, is from line 13 through line 24. I would yield to an oral amendment to put the other language back in."

Senator Quigg: "Thank you."

On motion of Senator Quigg, the following amendments to the amendment by Senator McCaslin were considered and adopted simultaneously:

On page 1, lines 26 and 27, reinsert the stricken material.

On page 2, lines 27 and 28, reinsert the stricken material.

On page 3, lines 14, 15 and 16, reinsert the stricken material.

The President declared the question before the Senate to be the amendment by Senator McCaslin as amended by Senator Quigg.

Debate ensued.

Senator McCaslin demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senator McCaslin as amended by Senator Quigg.

ROLL CALL

The Secretary called the roll and the amendment was not adopted by the following vote: Yeas, 16; nays, 26; absent or not voting, 1; excused, 6.

Voting yea: Senators Bauer, Conner, Craswell, Deccio, Fuller, Gallagher, Hansen, McCaslin, Metcalf, Patterson, Peterson, Quigg, Rasmussen, Sellar, Vognil, von Reichbauer—16.

Voting nay: Senators Benitz, Bluechel, Bottiger, Charnley, Clarke, Fleming, Gaspard, Goltz, Gould, Guess, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Moore, Ridder, Scott, Shinpoch, Talmadge, Wilson, Wojahn, Woody, Zimmerman—26.

Absent or not voting: Senator Newhouse—1.

Excused: Senators Haley, Lysen, McDermott, Pullen, Talley, Williams—6.

Senator Pullen moved adoption of the following amendment by Senators Pullen, Rasmussen, Craswell, Metcalf, McDermott, Hurley, Vognil, Hansen, McCaslin, Talmadge, Lee, Quigg, Charnley, Woody, Zimmerman, Fuller and Benitz:

On page 4, following line 30 insert the following:

"Sec. 5. Section 84.08.060, chapter 15, Laws of 1961 as amended by section 150, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.08.060 are each amended to read as follows:

The department of revenue shall have power to direct and to order any county board of equalization to raise or lower the valuation of any taxable property, or to add any property to the assessment list, or to perform or complete any other duty required by statute. The department of revenue may require any such board of equalization to reconvene after its adjournment for the purpose of performing any order or requirement made by the department of revenue and may make such orders as it shall determine to be just and necessary. The department may require any county board of equalization to reconvene at any time for the purpose of performing or completing any duty or taking any action it might lawfully have performed or taken at any of its previous regular July, November or April meetings. If such board of equalization shall fail or refuse forthwith to comply with any such order or requirement of the department of revenue, the department of revenue shall have power to take any other appropriate action, or to make such correction or change in the assessment list, and such corrections and changes shall be a part of the record of the proceedings of the said board of equalization: PROVIDED, That in all cases where the department of revenue shall raise the valuation of any property or add property to the assessment list, it shall give notice either for the same time and in the same manner as is now required in like cases of county boards of equalization, or if it shall deem such method of giving notice impracticable it shall give notice by publication thereof in a newspaper of general circulation within the county in which the property affected is situated once each week for two consecutive weeks, and the department of revenue shall not proceed to raise such valuation or add such property to the assessment list until a period of five days shall have elapsed subsequent to the date of the last publication of such notice: PROVIDED FURTHER, That appeals to the board of tax appeals by any taxpayer or taxing unit concerning any action of the county board of equalization shall not raise the valuation of the property to an amount greater than the larger of either the valuation of the property by the county assessor or the valuation of the property assigned by the county board of equalization. Such notice shall give the legal description of each tract of land involved, or a general description in case of personal property; the tax record-owner thereof; the assessed value thereof determined by the county board of equalization in case the property is on the assessment roll; and the assessed value thereof as determined by the department of revenue and shall state that the department of revenue proposes to increase the assessed valuation of such property to the amount stated and to add such property to the assessment list at the assessed valuation stated. The necessary

expense incurred by the department of revenue in making such reassessment and/or adding such property to the assessment list shall be borne by the county or township in which the property as reassessed and/or so added to the assessment list is situated and shall be paid out of the proper funds of such county upon the order of the department of revenue."

Debate ensued.

The motion by Senator Pullen carried and the amendment was adopted.

On motion of Senator Pullen, the following amendments to the title were adopted:

On page 1, line 8 of the title after "84.41.030;" strike "and"

On page 1, line 11 of the title after "84.41.041" insert "and amending section 84.08.060, chapter 15, Laws of 1961 as amended by section 150, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.08.060"

On motion of Senator Scott, the rules were suspended, Engrossed Senate Bill No. 3783 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. 3783, and the bill passed the Senate by the following vote: Yeas, 36; nays, 8; excused, 5.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Hayner, Hemstad, Jones, Kiskaddon, Lee, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, von Reichbauer, Wojahn, Woody, Zimmerman—36.

Voting nay: Senators Guess, Hansen, Hughes, Hurley, McCaslin, Metcalf, Vognild, Wilson—8.

Excused: Senators Haley, Lysen, McDermott, Talley, Williams—5.

ENGROSSED SENATE BILL NO. 3783, having received the 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. 4634, by Senator Scott:

Providing for adjustments in apportionment of state levy.

The bill was read the second time by sections.

On motion of Senator Scott, the rules were suspended, Senate Bill No. 4634 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. 4634, and the bill passed the Senate by the following vote: Yeas, 45; excused, 4.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Wilson, Wojahn, Woody, Zimmerman—45.

Excused: Senators Haley, McDermott, Talley, Williams—4.

SENATE BILL NO. 4634, having received the 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 Clarke, the Senate returned to the first order of business.

REPORTS OF STANDING COMMITTEES

March 19, 1982.

SENATE BILL NO. 4369, relating to appropriations (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 4369 be substitute therefor, and the substitute bill do pass.

Signed by: Senators Scott, Chairman; Bluechel, Deccio, Haley, Hayner, Jones, Lee, Pullen, Zimmerman.

Passed to Committee on Rules for second reading.

March 18, 1982.

SUBSTITUTE HOUSE BILL NO. 1014, delineating restrictions on taxing powers of counties, cities and towns (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Zimmerman, Chairman; Bauer, Charnley, Fuller, Gould, Wilson.

Passed to Committee on Rules for second reading.

MESSAGES FROM THE HOUSE

March 19, 1982.

Mr. President: The Speaker has signed: SUBSTITUTE SENATE BILL NO. 4963, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

March 19, 1982.

Mr. President: The Speaker has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 828,

SECOND SUBSTITUTE HOUSE BILL NO. 987, and the same are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:

SECOND SUBSTITUTE HOUSE BILL NO. 828,

SECOND SUBSTITUTE HOUSE BILL NO. 987.

MESSAGE FROM THE HOUSE

March 17, 1982.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 3394 with the following amendment:

Beginning on page 1, line 9, after "follows:" strike all material down to and including "exhausted." on page 2, line 19 and insert the following:

"When a cogeneration facility is operational and a certificate pertaining thereto has been issued, a credit may be claimed against taxes imposed under chapter 82.04

RCW, if the due date for payment of the taxes is after the effective date of the certificate: PROVIDED, That the date on which the facility is operational is no more than four years after the date of issuance of the certificate. The amount of the credit shall be ~~((two))~~ three percent of the cost of a facility covered by the certificate for each year the certificate remains in force. The credits shall be cumulative and shall be subject only to the following limitations:

(1) The tax credit shall apply to capital costs only and shall not apply to operating costs.

(2) A person, firm, corporation, or organization which acquires a cogeneration facility shall be entitled to the credit only to the extent that it has previously not been taken. Under no circumstances may a credit be taken more than once against any cost or portion thereof of a cogeneration facility.

(3) No credit exceeding fifty percent of the taxes payable under chapter 82.04 RCW shall be allowed in any reporting period.

(4) The total cumulative amount of the credits allowed for any cogeneration facility covered by a certificate shall not exceed fifty percent of the cost of the cogeneration facility less the total amount of federal investment credit or other federal tax credits applicable to the cogeneration facility.

~~(5) ((The total cumulative amount of credits against state taxes authorized by this chapter shall be reduced by the total amount of any federal investment credit or other federal tax credit actually received by the certificate holder applicable to the cogeneration facility. This reduction shall be made as an offset against the credit claimed in the first reporting period following the allowance of the investment credit, or other credit, and thereafter as an offset against any credit balance as it shall become available to the certificate holder)) State credits shall not become available until one year after final cost verification by department.", and the same is herewith transmitted.~~

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Gould, the Senate concurred in the House amendment to Engrossed Senate Bill No. 3395.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 3394, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 39; nays, 5; absent or not voting, 1; excused, 4.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Clarke, Conner, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Hansen, Hayner, Hemstad, Hughes, Jones, Kiskaddon, Lee, McCaslin, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Sellar, Talmadge, Vognild, von Reichbauer, Wilson, Wojahn, Woody, Zimmerman—39.

Voting nay: Senators Charnley, Hurley, Lysen, Metcalf, Shinpoch—5.

Absent or not voting: Senator Craswell—1.

Excused: Senators Haley, McDermott, Talley, Williams—4.

ENGROSSED SENATE BILL NO. 3394, 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

At 11:24 a.m., on motion of Senator Clarke, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

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

MOTION

On motion of Senator Clarke, the Senate advanced to the seventh order of business.

THIRD READING

SUBSTITUTE SENATE BILL NO. 4864, by Committee on Local Government (originally sponsored by Senators Goltz and Kiskaddon):

Mandating opportunity to purchase certain lands from department of natural resources by certain educational institutions renting therefrom and having placed improvements thereon.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Substitute Senate Bill No. 4864.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 4864, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Hansen, Hayner, Hemstad, Hughes, Hurley, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Sellar, Shipoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—46.

Absent or not voting: Senator Jones—1.

Excused: Senators Haley, Talley—2.

SUBSTITUTE SENATE BILL NO. 4864, having received the 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 Clarke, the Senate returned to the sixth order of business.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 37, by Representatives Williams, Dawson, Galloway, Greengo, Tilly, King (J.), Hine, Salatino, Armstrong, Stratton, Rosbach, Brown, Fiske, Wang, Eberle and Sanders:

Urging state investment board to make investments to stimulate state's economy.

The resolution was read the second time in full.

On motion of Senator Scott, the rules were suspended, House Concurrent Resolution No. 37 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

POINT OF INQUIRY

Senator Rasmussen: "Senator Scott, there is absolutely nothing binding in this concurrent resolution. It is just merely a 'wish' list."

Senator Scott: "It is a follow-up, Senator Rasmussen, on a number of bills that we have seen appear around here in the last four years, suggesting that somehow the state's investible income should be either put in state-based, in the state economy regardless of the return, or that the state limit itself to the state investments first before it looks to the outside. This is a mild edition of the same thing that puts no mandatory stricture on the state investment board whatsoever. It is a statement of intent, us saying to them, in effect, 'We hope you'll look closely and first, what is available within the state insofar as the return is at least as high and the risk is at least as low.'"

ROLL CALL

The Secretary called the roll on the final passage of House Concurrent Resolution No. 37, and the resolution passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Hansen, Hayner, Hemstad, Hughes, Hurley, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Sellar, Shipoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—46.

Absent or not voting: Senator Jones—1.

Excused: Senators Haley, Talley—2.

HOUSE CONCURRENT RESOLUTION NO. 37, having received the constitutional majority, was declared passed.

MOTION

On motion of Senator Clarke, the Senate commenced consideration of measures on the supplemental calendar.

SECOND READING

SENATE BILL NO. 4216, by Senator Quigg:

Modifying provisions relating to unemployment compensation.

MOTIONS

On motion of Senator Quigg, Substitute Senate Bill No. 4216 was substituted for Senate Bill No. 4216 and the substitute bill was placed on second reading and read the second time in full.

Senator Bottiger moved adoption of the following amendment by Senators Bottiger and Vognild:

On page 18, beginning on line 3, strike all of section 19 and renumber the remaining sections accordingly.

Debate ensued.

The motion by Senator Bottiger failed and the amendment was not adopted.

Senator Quigg moved adoption of the following amendment by Senators Quigg and Vognild:

On page 14, line 10, after "RCW;" insert the following and renumber the remaining subsections appropriately:

"(2) There is no other person, firm or corporation doing the same work at the same time on the same project except two or more persons, firms or corporations may contract and do the same work at the same time on the same project if each person, firm or corporation has employees;"

POINT OF INQUIRY

Senator Bluechel: "Senator Quigg, in the homebuilding industry, it is customary for one man to contract for inserting bathroom tile around the tub enclosure and he will give bids to the general contractor and he will be the only man on the job. This is a customary method of doing business in that particular industry. What does that do to this type of subcontractor?"

Senator Quigg: "This amendment would not impair that kind of a subcontractor at all, Senator Bluechel. However, if you were doing a project where you had, let's say, an apartment building where you had a number of tub and tile installing operations within that project and it would normally require a subcontractor with a number of employees working for that subcontractor, only in this case we find it is a situation where the prime has required a number of subcontractors; instead of having five employees, he is now gone out and got five subcontractors to do the tub and tile work. And the reason they do that is to get around the payment of unemployment benefits, premiums, and workmen's compensation insurance premiums. That is what this is intended to get out; with a single subcontractor working on a project, it won't affect that single, sole proprietor subcontractor at all."

Senator Bluechel: "Okay, so that the man who comes along and say did sixty tile and tub enclosures at a project, which would be typical of apartment buildings, would not be affected?"

Senator Quigg: "He would not be affected."

The motion by Senator Quigg carried and the amendment was adopted.

On motion of Senator Quigg, the rules were suspended, Engrossed Substitute Senate Bill No. 4216, 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 Senate Bill No. 4216, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guss, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—46.

Absent or not voting: Senator Moore—1.

Excused: Senators Haley, Talley—2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4216, having received the 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 Quigg, Engrossed Substitute Senate Bill No. 4216 was ordered immediately transmitted to the House.

MOTION

Senator Jones: "Mr. President, in order that we save time and expedite the business of the state, I would make a motion.

"Mr. President, I move that each member be limited to one 3-minute speech on each subject or motion that comes before the Senate for the remainder of the session, whatever that may be; except that the mover of the motion or the sponsor of a bill or amendment may have the privilege of closing debate.

"I further move that members be prohibited from yielding time to another member.

"I introduce this with the hope that we are approaching close to the end of the session, hopefully, and that it would be in the best interest of all concerned."

POINT OF INQUIRY

Senator Gaspard: "Senator Jones, I can understand the need for the shortening of the speeches on the floor, but I am concerned about the major items that we will have before us very shortly, one probably today and that is the general appropriations that we will be taking up. And we have yet the general revenue tax package.

"I am wondering if you can give an exclusion to that 3-minute rule for those two packages only because those are probably the two most important packages that we have yet to deal with in this session, and at the same time we would be eliminating any floor debate on them, and I think we ought to have open and full debate on those packages.

"I am not looking, in any way, to try to subvert the rule; I just think we need some variance from the rule that you are about to propose."

Senator Jones: "I kind of thought I had those two in mind when I was introducing this motion, frankly; and 3 times 48 works out to be a lot of minutes."

Senator Gaspard moved adoption of the following amendment to the motion by Senator Jones:

"All General appropriation and general revenue items will be exempted from the three-minute rule."

Senator Gaspard demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the amendment by Senator Gaspard to the motion by Senator Jones.

ROLL CALL

The Secretary called the roll and the amendment failed by the following vote: Yeas, 23; nays, 24; excused, 2.

Voting yea: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—25.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Wilson, Zimmerman—24.

Excused: Senators Haley, Talley—2.

The motion by Senator Jones carried. The three-minute rule will be enforced through the end of the first special session of the forty-seventh legislature.

MOTION

At 2:15 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

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

MOTION

On motion of Senator Clarke, the Senate commenced consideration of Senate Bill No. 4369.

SECOND READING

SENATE BILL NO. 4369, by Senator Scott:
Relating to appropriations.

MOTIONS

On motion of Senator Scott, Substitute Senate Bill No. 4369 was substituted for Senate Bill No. 4369 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Clarke, the Senate resolved itself into a Committee of the Whole.

COMMITTEE OF THE WHOLE

President Pro Tempore Guess assumed the Chair.

The following amendments to Substitute Senate Bill No. 4369 were adopted:

On page 30, line 19, after "group homes" insert: "PROVIDED, That up to \$35,000 may be expended to develop a Title XIX waiver plan for community services"

On page 30, line 22, after "costs" add "and the Title XIX waiver"

On page 55, line 4, after "effect" insert "without financial penalty"

On page 55, line 9, after "effect" insert "without financial penalty"

On page 78, line 33, strike "ten" and insert "five"

On page 79, line 8, after "pay." insert

"Agency allotment reductions under this voluntary leave incentive program shall be apportioned among administration and other employees based upon the number within the agency."

On page 79, line 11, after "Compensation" insert "increases"

On page 79, line 22, after "section." insert

"By January 15, 1983, the office of financial management shall report to the Legislature on the utilization of this voluntary leave incentive program by all state agencies."

Substitute Senate Bill No. 4369 was considered in the Committee of the Whole and reported back to the Senate with the recommendation that it do pass as amended.

President Cherberg assumed the Chair.

On motion of Senator Guess, the report of the committee was adopted.

The amendments adopted in the Committee of the Whole were adopted by the Senate.

On motion of Senator Scott, the rules were suspended, Engrossed Substitute Senate Bill No. 4369 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. 4369, and the bill passed the Senate by the following vote: Yeas, 25; nays, 23; excused, 1.

Voting yea: Senators Benitz, Bluechel, Bottiger, Clarke, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, McDermott, Metcalf, Newhouse, Patterson, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—25.

Voting nay: Senators Bauer, Charnley, Conner, Craswell, Fleming, Gaspard, Goltz, Hansen, Hughes, Lysen, McCaslin, Moore, Peterson, Pullen, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—23.

Excused: Senator Talley—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4369, having received the 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 Clarke, Engrossed Substitute Senate Bill No. 4369 was ordered immediately transmitted to the House.

SIGNED BY THE PRESIDENT

The President signed: SENATE BILL NO. 3394.

MOTION

On motion of Senator Clarke, the Senate returned to the first order of business.

REPORTS OF STANDING COMMITTEES

March 18, 1982.

SUBSTITUTE HOUSE BILL NO. 1014, delineating restrictions on taxing powers of counties, cities and towns (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Zimmerman, Chairman; Bauer, Charnley, Fuller, Gould, Wilson.

Passed to Committee on Rules for second reading.

March 18, 1982.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1039, removing authority of state liquor stores to sell beer and wine (reported by Committee on Commerce and Labor):

MAJORITY recommendation: Do pass.

Signed by: Senators Quigg, Chairman; Jones, Newhouse, Vognild.

MINORITY recommendation: Do not pass.

Signed by: Senator Hurley.

Passed to Committee on Rules for second reading.

March 18, 1982.

SUBSTITUTE HOUSE BILL NO. 1165, modifying boards and commissions based on revised congressional districts (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Metcalf, Chairman; Conner, Deccio, Fleming, Gallagher, McDermott, Quigg, Rasmussen.

Passed to Committee on Rules for second reading.

MOTION

At 5:40 p.m., on motion of Senator Clarke, the Senate adjourned until 2:30 p.m., Sunday, March 21, 1982.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

TENTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia, Sunday, March 21, 1982.

The Senate was called to order at 2:30 p.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Fleming, Lysen, Pullen, Sellar and Talley. On motion of Senator Ridder, Senators Fleming and Talley were excused.

The Color Guard, consisting of Pages David Reed and Kris Emanuel, presented the Colors. Reverend Lee Forstrom, pastor of Westwood Baptist Church of Olympia, offered the prayer.

MOTION

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

MOTIONS

On motion of Senator Clarke, the Senate advanced to the sixth order of business.

On motion of Senator Clarke, the Senate commenced consideration of House Bill No. 854.

SECOND READING

HOUSE BILL NO. 854, by House Transportation Committee and Representative Wilson (by Department of Transportation request):

Permitting motor fuel distributors to omit gas tax from selling price.

The bill was read the second time by sections.

On motion of Senator Guess, there being no objection, an amendment on the desk of the Secretary of the Senate, was withdrawn.

Senator Shinpoch moved adoption of the following amendment by Senator Charnley:

On page 2, following line 12, insert: "NEW SECTION. Sec. 2. There is added to chapter 19.94 RCW a new section to read as follows:

All gasoline retailers shall post written notice which is clearly legible and visible from the contiguous street or highway of the price per gallon of the grades of gasoline sold at such establishment."

POINT OF ORDER

Senator Peterson: "Mr. President, I would raise the point of scope and object on House Bill 854. We are amending not only a section of the RCW but another chapter and title. This bill was narrowly drawn to conform with Federal regulations that state fuel taxes be included in the price of fuel sold to the Federal government. It has nothing to do with retail service stations and we would have to amend both the chapter and title of the bill.

"This may have some merit but it doesn't belong in this particular measure and for that reason, I would raise the point of scope and object."

There being no objection, the Senate was declared to be at ease.

The President called the Senate to order at 2:43 p.m.

RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the Point of Order raised by Senator Peterson, the President finds that House Bill 854 is a measure which deals with the motor vehicle fuel tax and removes the requirement that this tax be passed along from the wholesaler to the consumer.

"The amendment proposed by Senator Charnley would require gasoline retailers to post the price per gallon of each grade of gasoline sold in a manner so that it would be visible from the contiguous street or highway.

"The President therefore finds that the proposed amendment does expand the scope and object of the bill and the the Point of Order is well taken."

The amendment by Senator Charnley was ruled out of order.

On motion of Senator Guess, the rules were suspended, House Bill No. 854 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Charnley: "Senator Guess, if I recall correctly, well, in your statement just now you said there is a possibility, would you elaborate on that just a little bit for me; when you say there is a possibility, you mean there is some kind of an appeal on this process?"

Senator Guess: "Senator, the way the language is written, was written in 1977, it required that the tax be a part of the selling price. The federal government did then pay the taxes on the gasoline purchases in the state of Washington. But there was a change in the federal law and so with the change in the federal law, the feds could then come back, as I understand it, and claim that tax that they had been paying.

"It had to do with the ruling of the federal energy orders of that particular time."

Senator Charnley: "Well, Senator Guess, does that, as I recall from the committee meeting, that there was an appeal being put forward by the state or by somebody on this ruling, the energy department?"

Senator Guess: "Senator, there was a concern that the mandatory pass-through of the tax to the U. S. Government may be in conflict with the U.S. Constitution, and applicable federal law. And so if we go in now and strike this, then we will be in a position where that claim could not be made."

Senator Charnley: "But there is no appeal that you are aware of, then. . . .?"

Senator Guess: "Not that I am aware of."

POINT OF INQUIRY

Senator Bottiger: "Senator Guess, I am not as concerned about the past as I am the future. Is there anything in the outcome of that hearing that would indicate that the federal government will take the position in the future that the B & O tax paid by refiners is not includable in the price of gasoline that they buy?"

Senator Guess: "It was only the fuel tax that was mentioned in the hearing, Senator Bottiger. Nothing was said about the B & O tax."

Senator Bottiger: "Which fuel tax?"

Senator Guess: "The state gasoline tax that we are talking about."

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 854 and the bill passed the Senate by the following vote: Yeas, 29; nays, 13; absent or not voting, 5; excused, 2.

Voting yea: Senators Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Peterson, Quigg, Scott, von Reichbauer, Zimmerman—29.

Voting nay: Senators Charnley, Hughes, McDermott, Moore, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—13.

Absent or not: Senators Bauer, Hurley, Lysen, Pullen, Sellar—5.

Excused: Senators Fleming, Talley—2.

HOUSE BILL NO. 854, having received the 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, Senators Hurley and Lysen were excused.

SECOND READING

HOUSE BILL NO. 1145, by House Committee on Local Government and Representative Isaacson:

Modifying provisions relating to special purpose districts.

The bill was read the second time by sections.

Senator Zimmerman moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to chapter 56.02 RCW a new section to read as follows:

Whenever the boundaries or proposed boundaries of a sewer district include or are proposed to include by means of formation, annexation, consolidation, or merger (including merger with a water district) territory in more than one county, all duties delegated by Title 56 RCW to officers of the county in which the district is located shall be delegated to the officers of the county in which the largest land area of the district is located, except that elections shall be conducted pursuant to RCW 56.02-.050, actions subject to review and approval under RCW 56.02.060 and 56.02.070 shall be reviewed and approved by only the officers or boards in the county in which such actions are proposed to occur, verification of electors' signatures shall be conducted by the county election officer of the county in which such signators reside, and comprehensive plan review and approval or rejection by the respective county legislative authorities under RCW 56.08.020 shall be limited to that part of such plans within the respective counties.

NEW SECTION. Sec. 2. There is added to chapter 56.02 RCW a new section to read as follows:

All actions taken in regard to the formation, annexation, consolidation, or merger of sewer districts prior to the effective date of this act but consistent with this title, as amended, are hereby approved and ratified and shall be legal for all purposes.

Sec. 3. Section 1, chapter 11, Laws of 1967 ex. sess. and RCW 56.24.070 are each amended to read as follows:

The territory adjoining or in close proximity to (~~and in the same county with~~) a district may be annexed to and become a part of the district in the following manner: Twenty percent of the number of registered voters residing in the territory proposed to be annexed who voted at the last election may file a petition with the

district commissioners and cause the question to be submitted to the electors of the territory whether such territory will be annexed and become a part of the district. If the commissioners concur in the petition, they shall file it with the county (~~(auditor)~~) election officer, who shall, within ten days, examine the signatures thereon and certify to the sufficiency or insufficiency thereof; and for such purpose (~~(he)~~) the county election officer shall have access to all registration books in the possession of the officers of any city or town in the proposed district. If the petition contains a sufficient number of signatures, the (~~(auditor)~~) election officer shall transmit it, together with (~~(his)~~) a certificate of sufficiency attached thereto to the sewer commissioners of the district. If there are no electors residing in the territory to be annexed, the petition may be signed by such a number as appear of record to own at least a majority of the acreage in the territory, and the petition shall disclose the total number of acres of land in the territory and the names of all record owners of land therein. If the commissioners are satisfied as to the sufficiency of the petition and concur therein, they shall send it, together with their certificate of concurrence attached thereto to the (~~(board of)~~) county (~~(commissioners)~~) legislative authority.

The county (~~(commissioners)~~) legislative authority, upon receipt of a petition certified to contain a sufficient number of signatures of electors, or upon receipt of a petition signed by such a number as own at least a majority of the acreage, together with a certificate of concurrence signed by the sewer commissioners, at a regular or special meeting shall cause to be published for at least two weeks in two successive issues of some weekly newspaper (~~(printed in the county, and)~~) in general circulation throughout the territory proposed to be annexed(~~(, and in case no such newspaper is printed in the county, then in some such newspaper of general circulation therein,))~~) a notice that the petition has been filed, stating the time of the meeting at which it shall be presented, and setting forth the boundaries of the territory proposed to be annexed.

Sec. 4. Section 1, chapter 148, Laws of 1969 ex. sess. and RCW 56.36.010 are each amended to read as follows:

Any water district, acting alone or in conjunction with any other water district or districts similarly situated as hereafter described, the territory of which lies wholly or partly within, or which is adjoining or in proximity to(~~(, and in the same county with,))~~) a sewer district, may merge into the sewer district, and the sewer district will survive under its original name. The term "in proximity to" as used herein shall mean within one mile of each other, measured in a straight line between the closest points of approach of the territorial boundaries of the respective districts.

NEW SECTION. Sec. 5. There is added to chapter 57.02 RCW a new section to read as follows:

Whenever the boundaries or proposed boundaries of a water district include or are proposed to include by means of formation, annexation, consolidation, or merger (including merger with a sewer district) territory in more than one county, all duties delegated by Title 57 RCW to officers of the county in which the district is located shall be delegated to the officers of the county in which the largest land area of the district is located, except that elections shall be conducted pursuant to section 6 of this act, as now existing or hereafter amended, actions subject to review and approval under RCW 57.02.040 and 56.02.070 shall be reviewed and approved only by the officers or boards in the county in which such actions are proposed to occur, verification of electors' signatures shall be conducted by the county election officer of the county in which such signators reside, and comprehensive plan review and approval or rejection by the respective county legislative authorities under RCW 57.16.010 shall be limited to that part of such plans within the respective counties.

NEW SECTION. Sec. 6. There is added to chapter 57.02 RCW a new section to read as follows:

(1) Jurisdiction of any election held on the same date as a general election shall rest with the county election officer of each county in which the district or proposed district is located. Election returns of such elections shall be canvassed by the canvassing board of each county and the official results certified to the county election officer of the county in which the largest land area of the district or proposed district is located. Such county election officer shall then combine the official results from each county into a single official result.

(2) Jurisdiction of any election held on a different date than a general election shall rest with the county election officer of the county in which the largest land area of the district or proposed district is located. Election returns of such elections shall be canvassed by the canvassing board of such county and certified to the county election officer of such county.

(3) Candidates for the office of commissioner shall file declarations of candidacy with the county election officer of the county in which the largest land area of the district is located.

(4) Elections referred to in this section shall be conducted as provided by this section and by the general election laws not inconsistent with this section.

NEW SECTION. Sec. 7. There is added to chapter 57.02 RCW a new section to read as follows:

All actions taken in regard to the formation, annexation, consolidation, or merger of water districts taken prior to the effective date of this act but consistent with this title, as amended, are hereby approved and ratified and shall be legal for all purposes.

Sec. 8. Section 24, chapter 251, Laws of 1953 and RCW 57.02.010 are each amended to read as follows:

Wherever in Title 57 RCW petitions are required to be signed by the owners of property, the following rules shall govern the sufficiency thereof:

(1) The signature of a record owner, as determined by the records of the county auditor of the county in which the real property is located, shall be sufficient without the signature of his or her spouse.

(2) In the case of mortgaged property, the signature of the mortgagor shall be sufficient.

(3) In the case of property purchased on contract, the signature of the contract purchaser, as shown by the records of the county auditor of the county in which the real property is located, shall be deemed sufficient.

(4) Any officer of a corporation owning land in the district duly authorized to execute deeds or encumbrances on behalf of the corporation may sign on behalf of such corporation: PROVIDED, That there shall be attached to the petition a certified excerpt from the bylaws showing such authority.

(5) If any property in the district stands in the name of a deceased person or any person for whom a guardian has been appointed, the signature of the executor, administrator or guardian, as the case may be, shall be equivalent to the signature of the owner of the property.

Sec. 9. Section 1, chapter 114, Laws of 1929 and RCW 57.04.020 are each amended to read as follows:

Water districts for the acquirement, construction, maintenance, operation, development and regulation of a water supply system and providing for additions and betterments thereto (~~within such districts~~) are (~~hereby~~) authorized to be established (~~in the various counties of this state, as in this act provided~~). Such districts may include within their boundaries one or more incorporated cities and towns.

Sec. 10. Section 2, chapter 114, Laws of 1929 as amended by section 3, chapter 72, Laws of 1931 and RCW 57.04.030 are each amended to read as follows:

For the purpose of formation of ~~((such))~~ water districts, a petition shall be presented to the ~~((board-of))~~ county ~~((commissioners))~~ legislative authority of ~~((the))~~ each county in which ~~((said))~~ the proposed water district is located, which petition shall set forth the object for the creation of the ~~((said))~~ district, shall designate the boundaries thereof and set forth the further fact that ~~((the))~~ establishment of ~~((said))~~ the district will be conducive to the public health, convenience and welfare and will be of benefit to the property included ~~((therein))~~ in the district. ~~((Said))~~ The petition shall be signed by at least twenty-five percent of the qualified electors who shall be qualified electors on the date of filing the petition, residing within the district described in the ~~((said))~~ petition. The ~~((said))~~ petition shall be filed with the county ~~((auditor))~~ election officer of each county in which the proposed district is located, who shall, within ten days examine and verify the signatures ~~((thereof and certify to the sufficiency or insufficiency thereof))~~ of the signers residing in the county; and for such purpose the county ~~((auditor))~~ election official shall have access to all registration books in the possession of the officers of any incorporated city or town in such proposed district. No person having signed such a petition shall be allowed to withdraw his name ~~((therefrom))~~ from the petition after the filing of the ~~((same))~~ petition with the county ~~((auditor))~~ election officer. The petition shall be transmitted to the election officer of the county in which the largest land area of the district is located who shall certify to the sufficiency or insufficiency of the number of signatures. If ~~((such))~~ the petition shall be found to contain a sufficient number of signatures, the county ~~((auditor))~~ election officer shall then transmit the same, together with ~~((his))~~ a certificate of sufficiency attached thereto to the ~~((board-of))~~ county ~~((commissioners. If such))~~ legislative authority of each county in which the proposed district is located. Following receipt of a petition ~~((is))~~ certified to contain a sufficient number of signatures, ~~((then))~~ at a regular or special meeting ~~((of the board of county commissioners of such county, the said county commissioners))~~ the county legislative authority shall cause to be published for at least two weeks in ~~((two))~~ successive issues of ~~((some))~~ one or more weekly newspapers ~~((printed and published in said county, and in case no such newspaper be printed or published in such county, then in some such newspaper of general circulation therein before the time at which the same is to be printed))~~ of general circulation in the proposed district, a notice that such a petition has been presented, stating the time of the meeting at which the ~~((same))~~ petition shall be ~~((presented))~~ considered, and setting forth the boundaries of ~~((said))~~ the proposed district. When such a petition is presented for hearing, ~~((the board-of))~~ each county ~~((commissioners))~~ legislative authority shall hear the ~~((same))~~ petition or may adjourn ~~((said))~~ the hearing from time to time not exceeding one month in all~~((, and))~~. Any person, firm, or corporation may appear before the ~~((said board of county commissioners))~~ county legislative authority and make objections to the establishment of the ~~((said))~~ district or the proposed boundary lines thereof~~((, and))~~. Upon a final hearing ~~((said board of county commissioners))~~ each county legislative authority shall make such changes in the proposed boundary lines within the county as they deem to be proper and shall establish and define such boundaries and shall find whether the proposed water district will be conducive to the public health, welfare and convenience and be of special benefit to the land included within the ~~((said))~~ boundaries of ~~((said))~~ the proposed district ~~((so established by the said board of county commissioners. PROVIDED, That))~~. No lands which will not, in the judgment of ~~((said board))~~ the county legislative authority, be benefited by inclusion therein, shall be included within the boundaries of ~~((said))~~ the district ~~((as so established and defined. AND PROVIDED FURTHER, That))~~. No change shall be made by the ~~((said board of county commissioners))~~ county legislative authority in the ~~((said))~~ boundary lines to include any territory outside of the boundaries described in the ~~((said))~~ petition, except that the boundaries of any proposed district may be extended by the ~~((board~~

~~of county commissioners at such hearing~~) county legislative authority to include other lands in ~~((said))~~ the county upon a petition signed by the owners of all of the land within the proposed extension.

Sec. 11. Section 3, chapter 114, Laws of 1929 as last amended by section 67, chapter 195, Laws of 1973 1st ex. sess. and RCW 57.04.050 are each amended to read as follows:

Upon entry of the findings of the final hearing on the petition if ~~((the commissioners))~~ one or more county legislative authorities find that the proposed district will be conducive to the public health, welfare, and convenience and be of special benefit to the land therein, they shall by resolution call a special election to be held not less than thirty days from the date of the resolution, and cause to be published a notice of the election for four successive weeks in a newspaper of general circulation in the ~~((county in which the))~~ proposed district ~~((is located))~~, which notice shall state the hours during which the polls will be open, the boundaries of the district as finally adopted and the object of the election, and the notice shall also be posted for ten days in ten public places in the proposed district. In submitting the proposition to the voters, it shall be expressed on the ballots in the following terms:

- Water District YES
- Water District NO

giving the name of the district as ~~((may be decided by the board))~~ provided in the petition.

At the same election ~~((the county commissioners shall submit))~~ a proposition shall be submitted to the voters, for their approval or rejection, authorizing the water district, if formed, to levy at the earliest time permitted by law on all property located in the district a general tax for one year, in excess of the limitations provided by law, of not to exceed one dollar and twenty-five cents per thousand dollars of assessed value, for general preliminary expenses of the district, said proposition to be expressed on the ballots in the following terms:

- One year one dollar and twenty-five cents per thousand dollars of assessed value tax YES
- One year one dollar and twenty-five cents per thousand dollars of assessed value tax NO

Such proposition to be effective must be approved by a majority of at least three-fifths of the electors thereof voting on the proposition in the manner set forth in Article VII, section 2(a) of the Constitution of this state, as amended by Amendment 59 and as thereafter amended.

Sec. 12. Section 2, chapter 108, Laws of 1959 and RCW 57.08.080 are each amended to read as follows:

The commissioners shall enforce collection of the water connection charges and rates and charges for water supplied against property owners connecting with the system and/or receiving such water, such charges being deemed charges against the property served, by addition of penalties of not more than ten percent thereof in case of failure to pay the charges at times fixed by resolution. The commissioners may provide by resolution that where either water connection charges or rates and charges for water supplied are delinquent for any specified period of time, the district shall certify the delinquencies to the treasurer of the county in which the ~~((district is situated))~~ real property is located, and the charges and any penalties added thereto and interest thereon at the rate of not more than eight percent per year shall be a lien against the property upon which the service was received, subject only to the lien for general taxes.

Sec. 13. Section 3, chapter 108, Laws of 1959 as amended by section 1, chapter 299, Laws of 1977 ex. sess. and RCW 57.08.090 are each amended to read as follows:

The district may, at any time after the connection charges or rates and charges for water supplied and penalties are delinquent for a period of sixty days, bring suit in foreclosure by civil action in the superior court of the county in which the ~~((district is situated))~~ real property is located. The court may allow, in addition to the costs and disbursements provided by statute, such an attorney's fee as it adjudges reasonable. The action shall be in rem, and may be brought in the name of the district against an individual, or against all of those who are delinquent in one action, and the laws and rules of the court shall control as in other civil actions.

In addition to the right to foreclose provided in this section, the district may also cut off all or part of the service after charges for water supplied are delinquent for a period of sixty days.

Sec. 14. Section 4, chapter 18, Laws of 1959 as amended by section 39, chapter 126, Laws of 1979 ex. sess. and RCW 57.12.030 are each amended to read as follows:

The general laws of the state of Washington governing the registration of voters for a general or a special city election shall govern the registration of voters for elections held under this chapter. The manner of holding any general or special election for said water district shall be in accordance with the laws of this state. All elections in a water district shall be conducted ~~((by the canvassing board of the county within which it is located))~~ under section 6 of this 1982 act. All expenses of elections for a water district shall be paid for out of the funds of ~~((such))~~ the water district: PROVIDED, That if the voters fail to approve the formation of a water district, the ~~((county shall pay all))~~ expenses of the formation election shall be paid by each county in which the proposed district is located, in proportion to the number of registered voters in the proposed district residing in each county.

Except as in this section otherwise provided, the term of office of each water district commissioner shall be six years, such term to be computed from the first day of January following ~~((his))~~ the election, and one ~~((such))~~ commissioner shall be elected at each biennial general election, as provided in RCW 29.13.020, for the term of six years and until his or her successor is elected and qualified and assumes office in accordance with RCW 29.04.170. All candidates shall be voted upon by the entire water district.

~~((In any water district hereafter formed;))~~ Three water district commissioners shall be elected at the same election at which the proposition is submitted to the voters as to whether such water district shall be formed. The commissioner ~~((residing))~~ elected in commissioner ~~((district))~~ position number one shall hold office for the term of six years; the commissioner ~~((residing))~~ elected in commissioner ~~((district))~~ position number two shall hold office for the term of four years; and the commissioner ~~((residing))~~ elected in commissioner ~~((district))~~ position number three shall hold office for the term of two years: PROVIDED, That the members of the first commission shall take office immediately upon their election and qualification. The terms of all commissioners first to be elected ~~((as above provided))~~ shall also include the time intervening between the date that the results of their election are declared in the canvass of returns thereof and the first day of January following the next general district election as provided in RCW 29.13.020.

Sec. 15. Section 9, chapter 114, Laws of 1929 as last amended by section 13, chapter 251, Laws of 1953 and RCW 57.16.050 are each amended to read as follows:

A district may establish local improvement districts within its territory; levy special assessments under the mode of annual installments extending over a period not exceeding twenty years, on all property specially benefited by a local improvement, on the basis of special benefits to pay in whole or in part the damage or costs of any improvements ordered in the district; and issue local improvement bonds in

the improvement district to be repaid by the collection of local improvement assessments. The levying, collection and enforcement of such assessments and issuance of bonds shall be as provided for the levying, collection, and enforcement of local improvement assessments and the issuance of local improvement bonds by cities of the first class insofar as consistent herewith. The duties devolving upon the city treasurer are hereby imposed upon the county treasurer of the county in which the real property is located for the purposes hereof. The mode of assessment shall be determined by the water commissioners by resolution. When in the petition or resolution for the establishment of a local improvement district, and in the comprehensive plan or amendment thereto or plan providing for additions and betterments to the original plan, previously adopted, it is provided that the assessments shall be for the sole purpose of payment into the revenue bond fund for the payment of revenue bonds, then the local improvement district shall be designated as a "utility local improvement district." No warrants or bonds shall be issued in a utility local improvement district, but the collection of interest and principal on all assessments in the utility local improvement district shall be paid into the revenue bond fund.

Sec. 16. Section 11, chapter 18, Laws of 1959 as last amended by section 7, chapter 299, Laws of 1977 ex. sess. and RCW 57.16.060 are each amended to read as follows:

Local improvement districts or utility local improvement districts to carry out the whole or any portion of the general comprehensive plan of improvements or plan providing for additions and betterments to the original general comprehensive plan previously adopted may be initiated either by resolution of the board of water commissioners or by petition signed by the owners according to the records of the office of the applicable county auditor of at least fifty-one percent of the area of the land within the limits of the local improvement district to be created.

In case the board of water commissioners shall desire to initiate the formation of a local improvement district or a utility local improvement district by resolution, it shall first pass a resolution declaring its intention to order such improvement, setting forth the nature and territorial extent of such proposed improvement, designating the number of the proposed local improvement district or utility local improvement district, and describing the boundaries thereof, stating the estimated cost and expense of the improvement and the proportionate amount thereof which will be borne by the property within the proposed district, and fixing a date, time and place for a public hearing on the formation of the proposed local district.

In case any such local improvement district or utility local improvement district shall be initiated by petition, such petition shall set forth the nature and territorial extent of the proposed improvement requested to be ordered and the fact that the signers thereof are the owners according to the records of the applicable county auditor of at least fifty-one percent of the area of land within the limits of the local improvement district or utility local improvement district to be created. Upon the filing of such petition the board shall determine whether the same shall be sufficient, and the board's determination thereof shall be conclusive upon all persons. No person shall withdraw his name from the petition after the same has been filed with the board of water commissioners. If the board shall find the petition to be sufficient, it shall proceed to adopt a resolution declaring its intention to order the improvement petitioned for, setting forth the nature and territorial extent of said improvement, designating the number of the proposed local district and describing the boundaries thereof, stating the estimated cost and expense of the improvement and the proportionate amount thereof which will be borne by the property within the proposed local district, and fixing a date, time and place for a public hearing on the formation of the proposed local district.

Notice of the adoption of the resolution of intention, whether the resolution was adopted on the initiative of the board or pursuant to a petition of the property owners, shall be published in at least two consecutive issues of a newspaper of general circulation in the proposed local district, the date of the first publication to be at least fifteen days prior to the date fixed by such resolution for hearing before the board of water commissioners. Notice of the adoption of the resolution of intention shall also be given each owner or reputed owner of any lot, tract, parcel of land or other property within the proposed improvement district by mailing said notice at least fifteen days before the date fixed for the public hearing to the owner or reputed owner of the property as shown on the tax rolls of the county treasurer of the county in which the real property is located at the address shown thereon. Whenever such notices are mailed, the water commissioners shall maintain a list of such reputed property owners, which list shall be kept on file at a location within the water district and shall be made available for public perusal. The notices shall refer to the resolution of intention and designate the proposed improvement district by number. Said notices shall also set forth the nature of the proposed improvement, the total estimated cost, the proportion of total cost to be borne by assessments, the date, time and place of the hearing before the board of water commissioners. In the case of improvements initiated by resolution, said notice shall also: (1) State that all persons desiring to object to the formation of the proposed district must file their written protests with the secretary of the board of water commissioners before the time fixed for said public hearing; (2) state that if owners of at least forty percent of the area of land within the proposed district file written protests with the secretary of the board, the power of the water commissioners to proceed with the creation of the proposed district shall be divested; (3) provide the name and address of the secretary of the board; and (4) state the hours and location within the water district where the names of the property owners within the proposed district are kept available for public perusal. In the case of the notice given each owner or reputed owner by mail, the notice shall set forth the estimated amount of the cost and expense of such improvement to be borne by the particular lot, tract, parcel of land or other property.

Whether the improvement is initiated by petition or resolution, the board shall conduct a public hearing at the time and place designated in the notice to property owners. At this hearing the board shall hear objections from any person affected by the formation of the local district and may make such changes in the boundaries of the district or such modifications in the plans for the proposed improvement as shall be deemed necessary: PROVIDED, That the board may not change the boundaries of the district to include property not previously included therein without first passing a new resolution of intention and giving a new notice to property owners in the manner and form and within the time herein provided for the original notice.

After said hearing the commissioners shall have jurisdiction to overrule protests and proceed with any such improvement initiated by petition or resolution: PROVIDED, That the jurisdiction of the commissioners to proceed with any improvement initiated by resolution shall be divested by protests filed with the secretary of the board prior to said public hearing signed by the owners, according to the records of the applicable county auditor, of at least forty percent of the area of land within the proposed local district.

If the commissioners find that the district should be formed, they shall by resolution order the improvement, provide the general funds of the water district to be applied thereto, adopt detailed plans of the local improvement district or utility local improvement district and declare the estimated cost thereof, acquire all necessary land therefor, pay all damages caused thereby, and commence in the name of the water district such eminent domain proceedings as may be necessary to entitle the district to proceed with the work. The board shall thereupon proceed with the work

and file with the county treasurer of the county in which the real property is located its roll levying special assessments in the amount to be paid by special assessment against the property situated within the improvement district in proportion to the special benefits to be derived by the property therein from the improvement.

Sec. 17. Section 12, chapter 18, Laws of 1959 and RCW 57.16.070 are each amended to read as follows:

Before approval of the roll a notice shall be published once a week for two consecutive weeks in a newspaper of general circulation in the local district, stating that the roll is on file and open to inspection in the office of the secretary, and fixing the time, not less than fifteen or more than thirty days from the date of the first publication of the notice, within which protests must be filed with the secretary against any assessments shown thereon, and fixing a time when a hearing will be held by the commissioners on the protests. Notice shall also be given by mailing, at least fifteen days before the hearing, a similar notice to the owners or reputed owners of the land in the local district as they appear on the books of the treasurer of the county in which the ~~((water district))~~ real property is located. At the hearing, or any adjournment thereof, the commissioners may correct, change or modify the roll, or any part thereof, or set aside the roll and order a new assessment, and may then by resolution approve it. If an assessment is raised a new notice similar to the first shall be given, after which final approval of the roll may be made. When property has been entered originally upon the roll and the assessment thereon is not raised, no objection thereto shall be considered by the commissioners or by any court on appeal unless the objection is made in writing at, or prior, to the date fixed for the original hearing upon the roll.

Sec. 18. Section 13, chapter 114, Laws of 1929 as last amended by section 126, chapter 81, Laws of 1971 and RCW 57.16.090 are each amended to read as follows:

The decision of the water district commission upon any objections made within the time and in the manner herein prescribed, may be reviewed by the superior court upon an appeal thereto taken in the following manner. Such appeal shall be made by filing written notice of appeal with the secretary of said water district commission and with the clerk of the superior court in the county in which ~~((such water district))~~ the real property is situated within ten days after publication of a notice that the resolution confirming such assessment roll has been adopted, and such notice of appeal shall describe the property and set forth the objections of such appellant to such assessment; and within ten days from the filing of such notice of appeal with the clerk of the superior court, the appellant shall file with the clerk of ~~((said))~~ the court, a transcript consisting of the assessment roll and ~~((his))~~ the appellant's objections thereto, together with the resolution confirming such assessment roll and the record of the water district commission with reference to ~~((said))~~ the assessment, which transcript, upon payment of the necessary fees therefor, shall be furnished by ~~((such))~~ the secretary of ~~((said))~~ the water district commission ~~((and by him))~~ certified by the secretary to contain full, true and correct copies of all matters and proceedings required to be included in such transcript. Such fees shall be the same as the fees payable to the county clerk for the preparation and certification of transcripts on appeal to the supreme court or the court of appeals in civil actions. At the time of the filing of the notice of appeal with the clerk of the superior court a sufficient bond in the penal sum of two hundred dollars, with at least two sureties, to be approved by the judge of said court, conditioned to prosecute such appeal without delay, and if unsuccessful to pay all costs to which the water district is put by reason of such appeal. The court may order the appellant upon application therefor, to execute and file such additional bond or bonds as the necessity of the case may require. Within three days after such transcript is filed in the superior court, ~~((as aforesaid,))~~ the appellant shall give written notice to the secretary of such water district, that such transcript is filed. ~~((Said))~~ The notice shall state a time ~~((t))~~, not less than

three days from the service thereof~~(?)~~, when the appellant will call up the ~~((said))~~ cause for hearing; and the superior court shall, at said time or at such further time as may be fixed by order of the court, hear and determine such appeal without a jury; and such cause shall have preference over all civil causes pending in ~~((said))~~ the court, except proceedings under an act relating to eminent domain ~~((in such water district))~~ and actions of forcible entry and detainer. The judgment of the court shall confirm, correct, modify or annul the assessment insofar as the same affects the property of the appellant. A certified copy of the decision of the court shall be filed with the officer who shall have custody of the assessment roll, ~~((and he))~~ who shall modify and correct such assessment roll in accordance with such decision. An appeal shall lie to the supreme court or the court of appeals from the judgment of the superior court, as in other cases: PROVIDED, HOWEVER, That such appeal must be taken within fifteen days after the date of the entry of the judgment of such superior court; and the record and opening brief of the appellant in ~~((said))~~ the cause shall be filed in the supreme court or the court of appeals within sixty days after the appeal shall have been taken by notice as provided in this ~~((act))~~ title. The time for filing such record and serving and filing of briefs in this section prescribed may be extended by order of the superior court, or by stipulation of the parties concerned. ~~((And))~~ The supreme court or the court of appeals on such appeal may correct, change, modify, confirm or annul the assessment insofar as the same affects the property of the appellant. A certified copy of the order of the supreme court or the court of appeals upon such appeal shall be filed with the officer having custody of such assessment roll, who shall thereupon modify and correct such assessment roll in accordance with such decision.

Sec. 19. Section 23, chapter 251, Laws of 1953 and RCW 57.16.110 are each amended to read as follows:

Whenever any land against which there has been levied any special assessment by any water district shall have been sold in part or subdivided, the board of water commissioners of such district shall have the power to order a segregation of the assessment.

Any person desiring to have such a special assessment against a tract of land segregated to apply to smaller parts thereof shall apply to the board of commissioners of the water district which levied the assessment. If the water commissioners determine that a segregation should be made, they shall by resolution order the ~~((county))~~ treasurer of the county in which the real property is located to make segregation on the original assessment roll as directed in the resolution. The segregation shall be made as nearly as possible on the same basis as the original assessment was levied, and the total of the segregated parts of the assessment shall equal the assessment before segregation. The resolution shall describe the original tract, the amount and date of the original assessment, and shall define the boundaries of the divided parts and the amount of the assessment chargeable to each part. A certified copy of the resolution shall be delivered to the ~~((county))~~ treasurer of the county in which the real property is located who shall proceed to make the segregation ordered upon being tendered a fee of three dollars for each tract of land for which a segregation is to be made. In addition to such charge the board of water commissioners may require as a condition to the order of segregation that the person seeking it pay the district the reasonable engineering and clerical costs incident to making the segregation.

Sec. 20. Section 1, chapter 82, Laws of 1935 as last amended by section 20, chapter 156, Laws of 1981 and RCW 57.20.030 are each amended to read as follows:

Every water district in the state is hereby authorized to create a fund for the purpose of guaranteeing, to the extent of such fund, and in the manner hereinafter provided, the payment of all of its local improvement bonds issued, subsequent to

~~((the effective date of this act))~~ June 9, 1937, to pay for any local improvement within its confines. Such fund shall be designated "Local Improvement Guaranty Fund, Water District No.," and shall be established by resolution of the board of water commissioners. For the purpose of maintaining such fund, every water district, after the establishment thereof, shall at all times set aside and pay into such a fund such proportion of the monthly gross revenues of the water supply system of such water district as the commissioners thereof may direct by resolution. This proportion may be varied from time to time as the commissioners deem expedient or necessary: PROVIDED, HOWEVER, That under the existence of the conditions set forth in subsections (1) and (2) next hereunder, then the proportion must be as therein specified, to wit:

(1) Whenever any bonds of any local improvement district have been guaranteed under this act and the guaranty fund does not have a cash balance equal to twenty percent of all bonds originally guaranteed under this act, (excluding issues which have been retired in full) then twenty percent of the gross monthly revenues derived from all water users in the territory included in said local improvement district (but not necessarily from users in other parts of the water district as a whole) shall be set aside and paid into the guaranty fund: PROVIDED, HOWEVER, That whenever, under the requirements of this subsection, said cash balance accumulates so that it is equal to twenty percent of all bonds guaranteed, or to the full amount of all bonds guaranteed, outstanding and unpaid (which amount might be less than twenty percent of the original total guaranteed), then no further moneys need be set aside and paid into said guaranty fund so long as said condition shall continue.

(2) Whenever any warrants issued against the guaranty fund, as hereinbelow provided, remain outstanding and uncalled for lack of funds for six months from date of issuance thereof; or whenever any coupons or bonds guaranteed under this act have been matured for six months and have not been redeemed either in cash or by issuance and delivery of warrants upon the guaranty fund, then twenty percent of the gross monthly revenues (or such portion thereof as the commissioners of the water district determine will be sufficient to retire said warrants or redeem said coupons or bonds in the ensuing six months) derived from all water users in the water district shall be set aside and paid into the guaranty fund: PROVIDED, HOWEVER, That whenever under the requirements of this subsection all warrants, coupons, or bonds specified in this subsection above have been redeemed, no further income need be set aside and paid into said guaranty fund under the requirements of this subsection until and unless other warrants remain outstanding and unpaid for six months or other coupons or bonds default.

(3) For the purpose of complying with the requirements of setting aside and paying into the local improvement guaranty fund a proportion of the monthly gross revenues of the water supply system of any water district, as hereinabove provided, said water district shall bind and obligate itself to maintain and operate said system and further bind and obligate itself to establish, maintain and collect such rates for water as will produce gross revenues sufficient to maintain and operate said water supply system and to make necessary provision for the local improvement guaranty fund as specified by this section and RCW 57.20.080 and 57.20.090. And said water district shall alter its rates for water from time to time and shall vary the same in different portions of its territory to comply with the said requirements.

(4) Whenever any coupon or bond guaranteed by this act shall mature and there shall not be sufficient funds in the appropriate local improvement district bond redemption fund to pay same, then the applicable county treasurer shall pay same from the local improvement guaranty fund of the water district; if there shall not be sufficient funds in the said guaranty fund to pay same, then the same may be paid by issuance and delivery of a warrant upon the local improvement guaranty fund.

(5) Whenever the cash balance in the local improvement guaranty fund is insufficient for the required purposes, warrants drawing interest at a rate determined by the commissioners may be issued by the applicable county auditor (~~((of the county in which the water district is located))~~), against the said fund to meet any liability accrued against it and must be issued upon demand of the holders of any maturing coupons and/or bonds guaranteed by this (~~((act))~~) section, or to pay for any certificates of delinquency for delinquent installments of assessments as provided in subsection (6) (~~((hereunder))~~) of this section. Guaranty fund warrants shall be a first lien in their order of issuance upon the gross revenues set aside and paid into said fund.

(6) Within twenty days after the date of delinquency of any annual installment of assessments levied for the purpose of paying the local improvement bonds of any water district guaranteed under the provisions of this act, it shall be mandatory for the county treasurer of the county in which (~~((said water district))~~) the real property is located to compile a statement of all installments delinquent, together with the amount of accrued interest and penalty appurtenant to each of said installments. Thereupon the applicable county treasurer shall forthwith purchase (for the water district) certificates of delinquency for all such delinquent installments. Payment for all such certificates of delinquency shall be made from the local improvement guaranty fund and if there shall not be sufficient moneys in said fund to pay for such certificates of delinquency, the applicable county treasurer shall accept said local improvement guaranty fund warrants in payment therefor. All such certificates of delinquency shall be issued in the name of the local improvement guaranty fund and all guaranty fund warrants issued in payment therefor shall be issued in the name of the appropriate local improvement district fund. Whenever any market is available and the commissioners of the water district so direct, the applicable county treasurer shall sell any certificates of delinquency belonging to the local improvement guaranty fund: PROVIDED, That any such sale must not be for less than face value thereof plus accrued interest from date of issuance to date of sale.

Such certificates of delinquency, as above provided, shall be issued by the county treasurer of the county in which the (~~((water district))~~) real property is located, shall bear interest at the rate of ten percent per annum, shall be in each instance for the face value of the delinquent installment, plus accrued interest to date of issuance of certificate of delinquency, plus a penalty of five percent of such face value, and shall set forth:

- (a) Description of property assessed;
- (b) Date installment of assessment became delinquent;
- (c) Name of owner or reputed owner, if known.

Such certificates of delinquency may be redeemed by the owner of the property assessed at any time up to two years from the date of foreclosure of such certificate of delinquency.

If any such certificate of delinquency be not redeemed on the second occurring first day of January subsequent to its issuance, the county treasurer who issued the certificate of delinquency shall then proceed to foreclose such certificate of delinquency in the manner specified for the foreclosure of the lien of local improvement assessments, pursuant to (~~((chapter 9 of the Session Laws of 1933 and amendments thereto))~~) chapter 35.50 RCW and if no redemption be made within the succeeding two years shall execute and deliver a deed conveying fee simple title to the property described in the foreclosed certificate of delinquency.

Sec. 21. Section 15, chapter 18, Laws of 1959 and RCW 57.24.010 are each amended to read as follows:

The territory adjoining or in close proximity to (~~((and in the same county with))~~) a district may be annexed to and become a part of the district in the following manner: Twenty percent of the number of registered voters residing in the territory proposed to be annexed who voted at the last election may file a petition with the

district commissioners and cause the question to be submitted to the electors of the territory whether such territory will be annexed and become a part of the district. If the commissioners concur in the petition, they shall file it with the county (~~(auditor)~~) election officer of each county in which the real property proposed to be annexed is located, who shall, within ten days, examine and validate the signatures thereon and certify to the sufficiency or insufficiency thereof; and for such purpose (~~(he)~~) the county election officer shall have access to all registration books in the possession of the officers of any city or town in the proposed district. If the petition contains a sufficient number of signatures, the (~~(auditor)~~) county election officer of the county in which the real property proposed to be annexed is located shall transmit it, together with (~~(his)~~) a certificate of sufficiency attached thereto to the water commissioners of the district. If there are no electors residing in the territory to be annexed, the petition may be signed by such a number as appear of record to own at least a majority of the acreage in the territory, and the petition shall disclose the total number of acres of land in the territory and the names of all record owners of land therein. If the commissioners are satisfied as to the sufficiency of the petition and concur therein, they shall send it, together with their certificate of concurrence attached thereto to the (~~(board of)~~) county (~~(commissioners)~~) legislative authority of each county in which the territory proposed to be annexed is located.

The county (~~(commissioners)~~) legislative authority, upon receipt of a petition certified to contain a sufficient number of signatures of electors, or upon receipt of a petition signed by such a number as own at least a majority of the acreage, together with a certificate of concurrence signed by the water commissioners, at a regular or special meeting shall cause to be published once a week for at least two weeks in (~~(two successive issues of some weekly)~~) a newspaper (~~(printed in the county, and)~~) in general circulation throughout the territory proposed to be annexed(~~(, and in case no such newspaper is printed in the county, then in some such newspaper of general circulation therein,)~~) a notice that the petition has been filed, stating the time of the meeting at which it shall be presented, and setting forth the boundaries of the territory proposed to be annexed.

Sec. 22. Section 16, chapter 18, Laws of 1959 and RCW 57.24.020 are each amended to read as follows:

When such petition is presented for hearing, the (~~(said board of county commissioners)~~) legislative authority of each county in which the territory proposed to be annexed is located shall hear the (~~(same)~~) petition or may adjourn (~~(said)~~) the hearing from time to time not exceeding one month in all, and any person, firm, or corporation may appear before the (~~(board of)~~) county (~~(commissioners)~~) legislative authority and make objections to the proposed boundary lines or to (~~(the)~~) annexation of the territory described in the petition(~~(, and)~~). Upon a final hearing (~~(the said board of)~~) each county (~~(commissioners)~~) legislative authority shall make such changes in the proposed boundary lines within the county as they deem to be proper and shall establish and define such boundaries and shall find whether the proposed annexation (~~(of the said territory)~~) as established by the (~~(said board of)~~) county (~~(commissioners)~~) legislative authority to the (~~(said)~~) water district will be conducive to the public health, welfare and convenience and will be of special benefit to the land included within the boundaries of the territory proposed to be annexed to the (~~(said)~~) water district (~~(and so established by the said board of county commissioners. PROVIDED, That)~~). No lands which will not, in the judgment of (~~(said board)~~) the county legislative authority, be benefited by inclusion therein, shall be included within the boundaries of (~~(said)~~) the territory as so established and defined(~~(, AND PROVIDED FURTHER, That)~~). No change shall be made by the (~~(said board of)~~) county (~~(commissioners)~~) legislative authority in the (~~(said)~~) boundary lines, including any territory outside of the boundary lines described in the petition(~~(, PROVIDED FURTHER, That)~~). No person having signed such petition

~~((as herein provided for)) shall be allowed to withdraw his name therefrom after the filing of the ((same)) petition with the board of water commissioners ((to said water district)).~~

Upon the entry of the findings of the final hearing ~~((to the said petition by the said))~~ each county ((commissioners of such county)) legislative authority, if they find the ~~((said))~~ proposed annexation ~~((of the territory to the said water district))~~ to be conducive to the public health, welfare and convenience and to be of special benefit to the land proposed to be annexed and included within the boundaries of the district, ~~((they))~~ shall give notice of a special election to be held within the boundaries of the territory proposed to be annexed to ~~((said))~~ the water district for the purpose of determining whether the same shall be annexed to the ~~((said))~~ water district ~~((and such))~~. The notice shall particularly describe the boundaries established by the ~~((board of))~~ county ~~((commissioners on its final hearing of the said petition))~~ legislative authority, and shall state the name of the water district to which the ~~((said))~~ territory is proposed to be annexed, and the ~~((same))~~ notice shall be published ~~((for at least two weeks prior to such election in a weekly newspaper printed and published within the county within which said district is located, and in case no such newspaper be printed or published in such county, then in some such))~~ in a newspaper of general circulation ((therein for)) in the territory proposed to be annexed at least once a week for a minimum of two successive ((issues thereof,)) weeks prior to the election and shall be posted for the same period in at least four public places within the boundaries of the ((district)) territory proposed to be annexed, which notice shall designate the places within the territory proposed to be annexed ((to said water district)) where the ((said)) election shall be held, and ((shall require the voters to cast)) the proposition to the voters shall be expressed on ballots which ((shall)) contain the words:

For Annexation to Water District
or
Against Annexation to Water District

The ~~((said))~~ county ~~((commissioners))~~ legislative authority shall name the persons to act as judges at such election.

Sec. 23. Section 2, chapter 55, Laws of 1941 and RCW 57.28.020 are each amended to read as follows:

The petition for withdrawal shall be filed with the county ~~((auditor))~~ election officer of ~~((the))~~ each county in which ~~((such))~~ the water district is located, and after ~~((such))~~ the filing no person having signed ~~((such))~~ the petition shall be allowed to withdraw his name therefrom. Within ten days after such filing, ~~((the))~~ each county ((auditor)) election officer shall examine and verify the signatures ~~((thereon and certify to the sufficiency or insufficiency thereof and))~~ of signers residing in the county. For such purpose the county ~~((auditor))~~ election officer shall have access to all appropriate registration books in the possession of the election officers of any incorporated city or town within the water district. The petition shall be transmitted to the election officer of the county in which the largest land area of the district is located, who shall certify to the sufficiency or insufficiency of the signatures. If such petition be found by ((the)) such county ((auditor)) election officer to contain sufficient signatures, ((he shall transmit the same)) the petition, together with ((his)) a certificate of sufficiency attached thereto, shall be transmitted to the commissioners of the water district.

Sec. 24. Section 6, chapter 55, Laws of 1941 and RCW 57.28.060 are each amended to read as follows:

Within ten days after ~~((such))~~ the final hearing the commissioners of ~~((such))~~ the water district shall transmit to the county ~~((commissioners of the))~~ legislative authority of each county in which ~~((such))~~ the water district is located the ~~((said))~~ petition for withdrawal together with a copy of the findings and recommendations of

the commissioners of the water district certified by the secretary of ~~((such))~~ the water district to be a true and correct copy of such findings and recommendations as the same appear on the records of ~~((such))~~ the water district.

Sec. 25. Section 7, chapter 55, Laws of 1941 and RCW 57.28.070 are each amended to read as follows:

Upon receipt of ~~((such))~~ the petition and certified copy of the findings and recommendation adopted by the water commissioners, the county ~~((commissioners))~~ legislative authority of each county in which the district is located at a regular or special meeting shall fix a time and place for hearing thereon and shall cause to be published at least once a week for ((at least)) two or more weeks in ((two)) successive issues of a ((weekly newspaper printed and published in said county and in general circulation throughout the said water district, and in case no newspaper is printed or published in said county, then in some)) newspaper of general circulation in ((said county and)) the water district, a notice that such petition has been presented to the county ~~((commissioners))~~ legislative authority stating the time and place of the hearing thereon, setting forth the boundaries of the territory proposed to be withdrawn as such boundaries are established and defined in the findings or recommendations of the commissioners of the water district.

Sec. 26. Section 9, chapter 55, Laws of 1941 and RCW 57.28.090 are each amended to read as follows:

If the ~~((said))~~ findings of ~~((the))~~ any county ~~((commissioners))~~ legislative authority answer any of such questions of fact in the negative, or if any of the findings of the county ~~((commissioners))~~ legislative authority are not the same as the findings of the water district commissioners upon the same question, then in either of such events, the petition for withdrawal shall be deemed denied. Thereupon, and in such event, the ~~((said county commissioners))~~ county legislative authority of each county in which the district is located shall by resolution cause a special election to be held not less than thirty days or more than sixty days from the date of the final hearing of ~~((the said))~~ any county ~~((commissioners))~~ legislative authority upon the ~~((said))~~ petition for withdrawal, at which election the proposition expressed on the ballots shall be substantially as follows:

"Shall the territory established and defined by the water district commissioners at their meeting held on the (insert date of final hearing of water district commissioners upon the petition for withdrawal) be withdrawn from water district (naming it).

YES NO

Sec. 27. Section 10, chapter 55, Laws of 1941 and RCW 57.28.100 are each amended to read as follows:

~~((The county commissioners shall cause))~~ Notice of such election ((to)) shall be posted and published in the same manner provided by law for the posting and publication of notice of elections to annex territory to water districts. The territory described in ((such)) the notice shall be that established and defined by the water district commissioners ((as above provided)). All qualified voters residing within ((such)) the water district shall have the right to vote at ((such)) the election. If a majority of the votes cast ((at such election)) favor the withdrawal from the water district of such territory, then within ten days after the official canvass of such election the ((said)) county ~~((commissioners))~~ legislative authority of each county in which the district is located, shall by resolution establish that ((such)) the territory has been withdrawn, and ((such)) the territory shall thereupon be withdrawn and excluded from ((such)) the water district the same as if it had never been included therein except for the lien of any taxes as hereinafter set forth.

Sec. 28. Section 1, chapter 267, Laws of 1943 as amended by section 1, chapter 39, Laws of 1967 ex. sess. and RCW 57.32.010 are each amended to read as follows:

Two or more water districts, adjoining or in close proximity to ~~((and in the same county with))~~ each other, may be joined into one consolidated water district. The consolidation may be initiated in either of the following ways: Ten percent of the legal electors residing within each of the water districts proposed to be consolidated may petition the board of water commissioners of each of their respective water districts to cause the question to be submitted to the legal electors of the water districts proposed to be consolidated; or the boards of water commissioners of each of the water districts proposed to be consolidated may by resolution determine that the consolidation of the districts shall be conducive to the public health, welfare, and convenience and to be of special benefit to the lands of the districts.

Sec. 29. Section 1, chapter 28, Laws of 1961 as amended by section 3, chapter 39, Laws of 1967 ex. sess. and RCW 57.36.010 are each amended to read as follows:

Whenever there are two water districts, the territories of which are adjoining or in close proximity to ~~((and in the same county with))~~ each other, either district, hereinafter referred to as the "merging district", may merge into the other district, hereinafter referred to as the "merger district", and the merger district will survive under its original number. The term "in proximity to" as used hereinabove shall mean within one mile of each other, measured in a straight line between the closest points of approach of the territorial boundaries of the two districts.

Sec. 30. Section 2, chapter 267, Laws of 1943 as amended by section 2, chapter 39, Laws of 1967 ex. sess. and RCW 57.32.020 are each amended to read as follows:

If the consolidation proceedings are initiated by petition, upon the filing of such petitions with the boards of water commissioners of the water districts, the boards of water commissioners of ~~((all of said))~~ each district(s) shall file such petitions with the ~~((county auditor))~~ election officer of each county in which any district is located who shall within ten days examine and verify the signatures ((thereon and certify to the sufficiency or insufficiency thereof)) of the signers residing in the county. The petition shall be transmitted by the other county election officers to the county election officer of the county in which the largest land area involved in the petitions is located, who shall certify to the sufficiency or insufficiency of the signatures. If all of such petitions shall be found to contain a sufficient number of signatures, the county ~~((auditor))~~ election officer shall transmit the same, together with ((his)) a certificate of sufficiency attached thereto, to the boards of water commissioners of each of the districts proposed for consolidation. In the event that there are no legal electors residing in one or more of the water districts proposed to be consolidated, such petitions may be signed by such a number as appear of record to own at least a majority of the acreage in the pertinent water district, and the petitions shall disclose the total number of acres of land in the said water district and shall also contain the names of all record owners of land therein.

Sec. 31. Section 9, chapter 39, Laws of 1967 ex. sess. and RCW 57.32.022 are each amended to read as follows:

The respective boards of water commissioners of the consolidating districts shall certify the agreement to the county ~~((auditor))~~ election officer of ((the)) each county in which the districts are located. ((Thereupon, the county auditor shall call)) A special election shall be called by the county election officer under section 6 of this 1982 act for the purpose of submitting to the voters of each of the consolidating districts the proposition of whether or not the several districts shall be consolidated into one water district. The proposition shall give the title of the proposed consolidated district. Notice of the election shall be given and the election conducted in accordance with the general election laws.

Sec. 32. Section 10, chapter 39, Laws of 1967 ex. sess. and RCW 57.32.023 are each amended to read as follows:

If at the election a majority of the voters in each of the consolidating districts ~~((shall))~~ vote in favor of the consolidation, the county canvassing board shall so

declare in its canvass under section 6 of this 1982 act and the return of such election shall be made within ten days after the date thereof. Upon the return the consolidation shall be effective and the consolidating districts shall cease to exist and shall then be and become a new water district and municipal corporation of the state of Washington. The name of such new water district shall be "Water District No. (~~.....County~~)", which shall be the name appearing on the ballot. The district shall have all and every power, right, and privilege possessed by other water districts of the state of Washington. The district may issue revenue bonds to pay for the construction of any additions and betterments set forth in the comprehensive (~~(scheme and)~~) plan of water supply contained in the agreement for consolidation and any future additions and betterments to the comprehensive (~~(scheme and)~~) plan of water supply, as its board of water commissioners shall by resolution adopt, without submitting a proposition therefor to the voters of the district.

Sec. 33. Section 3, chapter 28, Laws of 1961 as amended by section 5, chapter 39, Laws of 1967 ex. sess. and RCW 57.36.030 are each amended to read as follows:

Whenever a merger is initiated in either of the two ways (~~(hereinabove)~~) provided under this chapter, the boards of water commissioners of the two districts shall enter into an agreement providing for the merger. Said agreement must be entered into within ninety days following completion of the last act (~~(, as hereinabove provided;)~~) in initiation of the merger.

The respective boards of water commissioners (~~(of said districts)~~) shall certify (~~(such)~~) the agreement to the county ((auditor) election officer of ((the)) each county in which the districts are located. ((Thereupon;)) The ((said)) county ((auditor) election officer shall call a special election for the purpose of submitting to the voters of the merging district the proposition of whether the merging district shall be merged into the merger district. Notice of the election shall be given and the election conducted in accordance with the general election laws.

Sec. 34. Section 1, chapter 146, Laws of 1971 ex. sess. and RCW 57.40.100 are each amended to read as follows:

Any sewer district, acting alone or in conjunction with any other sewer district or districts similarly situated as hereafter described, the territory of which lies wholly or partly within, or which is adjoining or in proximity to (~~(, and in the same county with;))~~) a water district, may merge into the water district, and the water district will survive under its original name. The term "in proximity to" as used herein shall mean within one mile of each other, measured in a straight line between the closest points of approach of the territorial boundaries of the respective districts.

Sec. 35. Section 2, chapter 55, Laws of 1963 and RCW 57.90.020 are each amended to read as follows:

Upon the filing with the (~~(board of)~~) county (~~(commissioners)~~) legislative authority of ((the)) each county in which the district is located of a resolution of any governmental unit calling for the disincorporation of a special district, or upon the filing with the ((board of)) county ((commissioners)) legislative authority of each county in which the district is located of the petition of twenty percent of the qualified electors within a special district calling for the disincorporation of a special district the ((board of)) county ((commissioners)) legislative authority shall hold public hearings to determine whether or not any services have been provided within a consecutive five year period and whether the best interests of all persons concerned will be served by the proposed dissolution of the special district."

POINT OF INQUIRY

Senator Rasmussen: "Senator Zimmerman, on page 8, line 20. My question is 'Upon entry of the findings of the final hearing on the petition if one or more county legislative authorities . . .'. There is no requirement for both county legislative authorities or three counties, just one or more?'"

Senator Zimmerman: "Throughout the bill it does give the individual legislative authority in that specific county where those particular residents reside as far as that part of the district to deal with their particular issue. No matter what, throughout the entire bill we have, each county is still functioning as far as the legislative authority to do that which they would do individually. But it is such that this particular measure makes that possible, that they can do it and still have the district cross county lines.

"We didn't take away from an authority that opportunity."

Senator Rasmussen: "Well, what you have is one county can say that it is needed and the other county may say that it is not needed, and stymie the election then."

Senator Zimmerman: "I am sure that, from our discussion at the time, the terms of the water district, people talked to us about it, that they were of the assumption that the county, either county, would be able to approve that there was not a question of one county prohibiting the other county from so approving. I guess that the actual details of that, I don't have any more, maybe Senator Wilson will want to add a bit on that."

Senator Rasmussen: "I am going to miss Senator Wilson, I understand he is not going to come back."

Senator Wilson: "Sit down, Senator Rasmussen."

REMARKS BY SENATOR WILSON

Senator Wilson: "Senator Zimmerman, I recognize we want to accomplish a lot today but we don't want to pass defective legislation in our rush, and I would simply suggest that you might wish to hold this for one or two bills and we will talk with Senator Rasmussen and try to clarify what might be a valid objection to the bill."

MOTION

On motion of Senator Zimmerman, there being no objection, House Bill No. 1145, together with the pending amendment by Senator Zimmerman, was ordered held following consideration of the next two measures.

MOTION

On motion of Senator Bluechel, Senator Sellar and Pullen were excused.

ANNOUNCEMENT BY THE SECRETARY

The Secretary announced the birth of a grandson, Jarrett Paul Schultz, to Senator Gould. The members sang Happy Birthday to the Senator's grandchild. The Senator distributed cigars and candy to the members in celebration of the birth.

SECOND READING

HOUSE BILL NO. 1092, by Representatives Struthers, Hastings and McGinnis:

Modifying unfair cigarette sales act.

The bill was read the second time by sections.

Senator Scott moved the following amendments be considered and adopted simultaneously:

On page 8, line 1, after "general fund" strike all material down to and including "fund" on line 16

On page 8, following line 16, insert the following:

"NEW SECTION. Sec. 6. There is hereby appropriated for the biennium ending June 30, 1983 from the general fund the sum of seventy thousand seven hundred dollars or so much thereof as is necessary to carry out the purposes of this act."

Debate ensued.

The motion by Senator Scott carried and the amendments were adopted.

On motion of Senator Scott, the following amendment to the title was adopted:

On page 1, line 14 of the title, following "19.91.910;" strike "and", and following "penalties" insert "; and making an appropriation"

On motion of Senator Scott, the rules were suspended, House Bill No. 1092, 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. 1092, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 29; nays, 14; absent or not voting, 1; excused, 5.

Voting yea: Senators Bauer, Benitz, Bluechel, Clarke, Conner, Deccio, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Hayner, Hemstad, Hughes, Jones, Kiskaddon, Lee, Metcalf, Moore, Newhouse, Patterson, Quigg, Scott, Shipoch, Talmadge, Wojahn, Woody, Zimmerman—29.

Voting nay: Senators Charnley, Craswell, Haley, Hansen, Hurley, McCaslin, McDermott, Peterson, Rasmussen, Ridder, Vognild, von Reichbauer, Williams, Wilson—14.

Absent or not voting: Senator Bottiger—1.

Excused: Senators Fleming, Lysen, Pullen, Sellar, Talley—5.

HOUSE BILL NO. 1092, 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

SUBSTITUTE HOUSE BILL NO. 1156, by House Committee on Local Government (originally sponsored by House Committee on Local Government and Representatives Isaacson and Nelson (G.)):

Permitting the establishment of cultural arts, stadium, and convention districts.

MOTIONS

On motion of Senator Gould, the rules were suspended, Substitute House Bill No. 1156 was returned to second reading.

On motion of Senator Gould, House Bill No. 1156 was ordered held for consideration at a later time.

MOTION

On motion of Senator Clarke, the Senate returned to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1145, by House Committee on Local Government and Representative Isaacson:

Modifying provisions relating to special purpose districts.

The Senate resumed consideration of House Bill No. 1145 earlier today, an amendment by Senator Zimmerman had been moved for adoption.

The motion by Senator Zimmerman carried and the amendment was adopted.

On motion of Senator Zimmerman, the following amendment to the title was adopted:

On page 1, line 1 of the title after "districts;" strike the remainder of the title and insert "amending section 1, chapter 11, Laws of 1967 ex. sess. and RCW 56.24.070; amending section 1, chapter 148, Laws of 1969 ex. sess. and RCW 56.36.010; amending section 24, chapter 251, Laws of 1953 and RCW 57.02.010; amending section 1, chapter 114, Laws of 1929 and RCW 57.04.020; amending section 2, chapter 114, Laws of 1929 as amended by section 3, chapter 72, Laws of 1931 and RCW 57.04.030; amending section 3, chapter 114, Laws of 1929 as last amended by section 67, chapter 195, Laws of 1973 1st ex. sess. and RCW 57.04-.050; amending section 2, chapter 108, Laws of 1959 and RCW 57.08.080; amending section 3, chapter 108, Laws of 1959 as amended by section 1, chapter 299, Laws of 1977 ex. sess. and RCW 57.08.090; amending section 4, chapter 18, Laws of 1959 as amended by section 39, chapter 126, Laws of 1979 ex. sess. and RCW 57.12.030; amending section 9, chapter 114, Laws of 1929 as last amended by section 13, chapter 251, Laws of 1953 and RCW 57.16.050; amending section 11, chapter 18, Laws of 1959 as last amended by section 7, chapter 299, Laws of 1977 ex. sess. and RCW 57.16.060; amending section 12, chapter 18, Laws of 1959 and RCW 57.16.070; amending section 13, chapter 114, Laws of 1929 as last amended by section 126, chapter 81, Laws of 1971 and RCW 57.16.090; amending section 23, chapter 251, Laws of 1953 and RCW 57.16.110; amending section 1, chapter 82, Laws of 1935 as last amended by section 20, chapter 156, Laws of 1981 and RCW 57.20.030; amending section 15, chapter 18, Laws of 1959 and RCW 57.24.010; amending section 16, chapter 18, Laws of 1959 and RCW 57.24.020; amending section 2, chapter 55, Laws of 1941 and RCW 57.28.020; amending section 6, chapter 55, Laws of 1941 and RCW 57.28.060; amending section 7, chapter 55, Laws of 1941 and RCW 57.28.070; amending section 9, chapter 55, Laws of 1941 and RCW 57.28.090; amending section 10, chapter 55, Laws of 1941 and RCW 57.28.100; amending section 1, chapter 267, Laws of 1943 as amended by section 1, chapter 39, Laws of 1967 ex. sess. and RCW 57.32.010; amending section 1, chapter 28, Laws of 1961 as amended by section 3, chapter 39, Laws of 1967 ex. sess. and RCW 57.36.010; amending section 2, chapter 267, Laws of 1943 as amended by section 2, chapter 39, Laws of 1967 ex. sess. and RCW 57.32.020; amending section 9, chapter 39, Laws of 1967 ex. sess. and RCW 57.32.022; amending section 10, chapter 39, Laws of 1967 ex. sess. and RCW 57.32.023; amending section 3, chapter 28, Laws of 1961 as amended by section 5, chapter 39, Laws of 1967 ex. sess. and RCW 57.36.030; amending section 1, chapter 146, Laws of 1971 ex. sess. and RCW 57.40.100; amending section 2, chapter 55, Laws of 1963 and RCW 57.90.020; adding new sections to chapter 56.02 RCW; and adding new sections to chapter 57.02 RCW."

On motion of Senator Zimmerman, the rules were suspended, House Bill No. 1145, 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 House Bill No. 1145, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; absent or not voting, 2; excused, 5.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Kiskaddon, Lee, McCaslin, McDermott,

Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Ridder, Scott, Shipoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—42.

Absent or not voting: Senators Deccio, Jones—2.

Excused: Senators Fleming, Lysen, Pullen, Sellar, Talley—5.

HOUSE BILL NO. 1145, 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

SUBSTITUTE HOUSE BILL NO. 840, by House Committee on Revenue (originally sponsored by Representatives Struthers, Chamberlain, Hastings and Hankins):

Increasing sales tax exemption permit fee.

The bill was read the second time by sections.

On motion of Senator Scott, the rules were suspended, Substitute House Bill No. 840 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 Moore: "Senator Guess, I do business in Montana, as you know, and I have one of these permits that allows me to buy without a sales tax for merchandise that is being shipped to Montana. Are we talking about the same thing?"

Senator Guess: "No sir, we are not talking about the same thing. This is, when a Montanan comes to the state of Washington to make purchases, he buys a certificate, just a billfold size; as you go up to the cash register, you pull it out and present it to the clerk at the checkout stand and you don't have to pay the sales tax of that nature.

"Now the intrastate shipment that you are talking about, as I understand it, is an entirely different procedure."

Senator Moore: "We have a certificate, a permit, and that is all I know. Thank you."

MOTIONS

On motion of Senator Vognild, the rules were suspended, Substitute House Bill No. 840 was returned to second reading.

Senator Vognild moved adoption of the following amendments:

On page 2, line 1, strike "five" and insert "twenty-five"

On page 2, line 7, strike "one" and insert "two"

Debate ensued.

The motion by Senator Vognild failed and the amendments were not adopted on a rising vote.

On motion of Senator Scott, the rules were suspended, Substitute House Bill No. 840 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 Substitute House Bill No. 840, and the bill passed the Senate by the following vote: Yeas, 46; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould,

Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—46.

Excused: Senators Lysen, Pullen, Talley—3.

SUBSTITUTE HOUSE BILL NO. 840, having received the 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. 765, by House Committee on Revenue and Representative Greengo (by Department of Revenue request):

Modifying excise tax registration fee.

The bill was read the second time by sections.

On motion of Senator Scott, the rules were suspended, House Bill No. 765 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. 765, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 1; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Kiskaddon, Lee, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—44.

Voting nay: Senator Hurley—1.

Absent or not voting: Senator Jones—1.

Excused: Senators Lysen, Pullen, Talley—3.

HOUSE BILL NO. 765, having received the 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 Clarke, the Senate advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 137, by Committee on Social and Health Services (originally sponsored by Senators Deccio, Bottiger, Jones and Shinpoch):

Establishing a joint select committee on mandated health care benefits.

MOTIONS

On motion of Senator Deccio, the rules were suspended, Engrossed Substitute Senate Concurrent Resolution No. 137 was returned to second reading.

On motion of Senator Goltz, the following amendments by Senators Goltz and Deccio were considered and adopted simultaneously:

On page 1, following line 17, insert:

"WHEREAS, The Washington State Legislature further recognizes the importance of encouraging elderly, infirm and terminally ill persons to remain in their homes rather than living in health care institutions; and

WHEREAS, Certified home health care and hospice agencies currently provide skilled nursing services, physical, speech, and occupational therapy, and other vital health services to thousands of home-bound Washington citizens who otherwise would require institutional care; and"

On page 1, line 26, after "state" insert "and to also study mandated home health care and hospice insurance"

On motion of Senator Deccio, the rules were suspended, Reengrossed Substitute Senate Concurrent Resolution No. 137 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Reengrossed Substitute Senate Concurrent Resolution No. 137, and the resolution passed the Senate by the following vote: Yeas, 45; nays, 1; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—45.

Voting nay: Senator Hughes—1.

Excused: Senators Lysen, Pullen, Talley—3.

REENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 137, having received the constitutional majority, was declared passed.

MOTION

On motion of Senator Clarke, the Senate returned to the sixth order of business.

SECOND READING

HOUSE BILL NO. 736, by House Committee on State Government and Representative Garson:

Allowing state employees insurance board to contract with multiple carriers providing similar coverage and changing the frequency of insurance surveys performed for the board.

The bill was read the second time by sections.

On motion of Senator Newhouse, the following amendment by Senators Newhouse and Shinpoch was adopted:

On page 5, line 19, following "contribution" insert "and the average level of benefits"

On motion of Senator Metcalf, the rules were suspended, House Bill No. 736, 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 House Bill No. 736, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—46.

Excused: Senators Lysen, Pullen, Talley—3.

HOUSE BILL NO. 736, 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

SENATE CONCURRENT RESOLUTION NO. 138, by Senators Goltz, Jones and Quigg:

Establishing a Joint Select Committee on Expo '86.

The resolution was read the second time in full.

Senator Newhouse moved adoption of the following amendment:

On page 2, line 7 after "Representatives" insert ": PROVIDED, That the sponsors of this bill shall not be eligible to serve on the committee"

Senator Bottiger moved adoption of the following amendment to the amendment by Senator Newhouse:

On the last line of the amendment following "committee" insert "or any member of any committee to which the bill was referred"

Debate ensued.

The motion by Senator Bottiger carried and the amendment to the amendment was adopted.

The President declared the question before the Senate to be the amendment by Senator Newhouse as amended by Senator Bottiger.

Senator Moore moved adoption of the following amendment to the amendment, as amended:

Following the amendment by Senator Bottiger, insert "or anyone who votes for this"

The motion by Senator Moore failed and the amendment to the amendment was not adopted.

The motion by Senator Newhouse failed, and the amendment, as amended was not adopted.

POINT OF INQUIRY

Senator Rasmussen: "Senator Quigg, on the green sheet it says 'A joint select committee to, chosen to take advantage of the opportunities and to mitigate problems.'

"I am wondering if that is a good neighbor policy that we want to have in print, that we are appointing a committee to mitigate the problems. I can recall when we had the World's Fair in Seattle, and I can't recall any committee from British Columbia being appointed to mitigate the problem of the tourists, in fact they encouraged tourists to come up to British Columbia after they came to the World's Fair or else, the other way around. And that would seem to me unfortunate wording in there; I wondered if you wanted to strike that portion?"

Senator Goltz: "If I may answer, because I think that language is, in part, attributed to the language that I had in the resolution.

"And actually there are problems that occur when 13,000,000 visitors to British Columbia find their way through the state of Washington; and part of the problem

may be at the border crossings where additional border services might need to be provided.

"I cannot tell you what the committee will find or recommend but we are not talking about problems with individual citizens, we are talking of problems of bottlenecks, of traffic, of housing, and so on, which, and to mitigate those simply means to reduce them to the lowest possible level so that everyone will enjoy and profit from this expo."

POINT OF INQUIRY

Senator Ridder: "Senator Quigg, I notice there is neither an appropriation nor a fiscal note and I would assume, since this seems to be legislative committee, that it would probably be conducted under the existing staff effort, and essentially within the parameters of regular meetings?"

Senator Quigg: "Yes, Senator Ridder, that is correct."

On motion of Senator Quigg, the rules were suspended, Senate Concurrent Resolution No. 138 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

MOTION

On motion of Senator Ridder, Senator McDermott was excused.

ROLL CALL

The Secretary called the roll on the final passage of Senate Concurrent Resolution No. 138, and the resolution passed the Senate by the following vote: Yeas, 46; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—46.

Excused: Senators Lysen, McDermott, Talley—3.

SENATE CONCURRENT RESOLUTION NO. 138, having received the constitutional majority, was declared passed.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 143, by Senators Guess, Bluechel and Charnley:

Establishing a joint select committee to study the management options and potential uses of the John Wayne trail.

The resolution was read the second time in full.

Senator Williams moved adoption of the following amendment by Senators Williams and Charnley:

On page 1, lines 2, 4, 7, 9 and 23, strike "John Wayne Trail" and insert "Milwaukee Road"

Debate ensued.

The motion by Senator Williams carried and the amendment was adopted on a rising vote.

On motion of Senator Guess, the rules were suspended, Engrossed Senate Concurrent Resolution No. 143 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

MOTION

On motion of Senator Clarke, the Senate advanced to the seventh order of business.

THIRD READING

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 3775, by Judiciary Committee (originally sponsored by Senators Talmadge, Clarke and Moore) (by Department of Licensing request):

Regulating real estate time-sharing.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Second Substitute Senate Bill No. 3775.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 3775, and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody, Zimmerman—43.

Voting nay: Senators Gaspard, Pullen, von Reichbauer—3.

Excused: Senators Lysen, McDermott, Talley—3.

SECOND SUBSTITUTE SENATE BILL NO. 3775, having received the 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 Clarke, the Senate returned to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 268, House Committee on Ethics, Law and Justice (originally sponsored by House Committee on Ethics, Law and Justice and Representatives Ellis, Hine, Burns and Rust):

Delaying vehicle license renewal until unpaid parking fines are paid.

The bill was read the second time by sections.

On motion of Senator Hemstad, the following amendment by Senators Hemstad and Clarke was adopted:

On page 6, beginning on line 8, strike all of section 4, and insert the following:

"Sec. 4. Section 13, chapter 136, Laws of 1979 ex. sess. as last amended by section 6, chapter 19, Laws of 1981 and by section 7, chapter 330, Laws of 1981 and RCW 46.63.110 are each reenacted and amended to read as follows:

(1) A person found to have committed a traffic infraction shall be assessed a monetary penalty. No penalty may exceed two hundred and fifty dollars for each offense unless authorized by this chapter or title.

(2) The supreme court may prescribe by rule a schedule of monetary penalties for designated traffic infractions.

(3) There shall be a penalty of twenty-five dollars for failure to respond to a notice of traffic infraction except where the infraction relates to overtime parking as defined by local law, ordinance, regulation, or resolution or failure to pay a monetary penalty imposed pursuant to this chapter. The monetary penalty for failure to respond to a notice of a traffic infraction relating to overtime parking as defined by local law, ordinance, regulation, or resolution shall be set by the local legislative body which originally enacted the local law, ordinance, regulation, or resolution creating the parking offense. The local court, whether a municipal, police, or district court may impose the monetary penalty set by the local legislative body. Such locally set monetary penalty is not subject to the assessments required by RCW 46.81.030 and 43.101.210 and related court rules.

(4) Monetary penalties provided for in chapter 46.70 RCW which are civil in nature and penalties which may be assessed for violations of chapter 46.44 RCW relating to size, weight, and load of motor vehicles are not subject to the limitation on the amount of monetary penalties which may be imposed pursuant to this chapter.

(5) Whenever a monetary penalty is imposed by a court under this chapter it is immediately payable. If the person is unable to pay at that time the court may, in its discretion, grant an extension of the period in which the penalty may be paid. If the penalty is not paid on or before the time established for payment the court shall notify the department of the failure to pay the penalty and the department may not renew the person's driver's license, or in the case of a standing, stopping, or parking violation the vehicle license, until the penalty has been paid and the penalty provided in subsection (3) of this section has been paid.

(6) There shall be levied and paid into the general fund of the state treasury, a five-dollar fee in addition to the monetary penalty imposed for a traffic infraction other than a parking, standing, stopping, or pedestrian infraction. The five-dollar fee shall not be suspended by the court."

MOTIONS

On motion of Senator Guess, there being no objection, an amendment on the desk of the Secretary of the Senate, by Senator Guess, was withdrawn.

On motion of Senator Hemstad, the following amendments were adopted:

On page 9, line 21, after "act" strike all material down through "institutions, and" on line 24.

On page 9, line 24, strike "1981" and insert "1984"

On page 9, line 26, strike "1981" and insert "1984"

On motion of Senator Hemstad, the following amendments by Senators Clarke and Hemstad to the title were adopted:

In line 6 of the title after "46.63.070;" insert "reenacting and"

In line 7 of the title after "as" strike everything through and including "1980" on line 8, and insert "last amended by section 6, chapter 19, Laws of 1981 and by section 7, chapter 330, Laws of 1981"

On motion of Senator Hemstad, the rules were suspended, Substitute House Bill No. 268, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

Senators Peterson, Shinpoch and Benitz demanded the previous question and the demand was sustained.

The President declared the question before the Senate to the roll call on final passage of Substitute House Bill No. 268, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 268, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 26; nays, 20; excused, 3.

Voting yea: Senators Bauer, Bluechel, Charnley, Clarke, Conner, Craswell, Fleming, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Metcalf, Moore, Pullen, Talmadge, Williams, Wilson, Wojahn, Zimmerman—26.

Voting nay: Senators Benitz, Bottiger, Deccio, Fuller, Hansen, Hayner, Lee, McCaslin, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Vognil, von Reichbauer, Woody—20.

Excused: Senators Lysen, McDermott, Talley—3.

SUBSTITUTE HOUSE BILL NO. 268, 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 4:35 p.m., on motion of Senator Clarke, the Senate recessed until 7:00 p.m.

EVENING SESSION

The President called the Senate to order at 7:00 p.m.

MOTIONS

On motion of Senator Goltz, Senators Bottiger and McDermott were excused.

On motion of Senator Clarke, the Senate commenced consideration of House Bill No. 600.

SECOND READING

HOUSE BILL NO. 600, by House Committee on Ethics, Law and Justice and Representatives Ellis, Patrick, Schmidt, Becker, Tilly, Winsley, Bickham, Pruitt and Granlund:

Making various changes in criminal law.

The bill was read the second time by sections.

Senator Hemstad moved adoption of the following amendment by Senators Newhouse, Quigg, Vognil, Rasmussen, Hemstad, Wojahn, Gould, Metcalf, Pullen and Woody:

Strike everything after the enacting clause, and insert the following:

"Section 1. Section 1, chapter 175, Laws of 1969 ex. sess. as amended by section 1, chapter 258, Laws of 1981 and RCW 9.41.025 are each amended to read as follows:

Any person who shall commit or attempt to commit any felony, including but not limited to assault in the first degree, rape in the first degree, burglary in the first degree, robbery in the first degree, riot, or any other felony which includes as an element of the crime the fact that the accused was armed with a firearm, or any misdemeanor or gross misdemeanor categorized herein as inherently dangerous, while armed with, or in the possession of any firearm, shall upon conviction, in addition to the penalty provided by statute for the crime committed without use or possession of a firearm, be imprisoned as herein provided:

(1) For the first offense the court shall impose a sentence of not less than five years, which sentence shall not be suspended or deferred;

(2) For a second offense, or if, in the case of a first conviction of violation of any provision of this section, the offender shall previously have been convicted of violation of the laws of the United States or of any other state, territory, or district relating to the use or possession of a firearm while committing or attempting to commit a crime, the offender shall be imprisoned for not less than seven and one-half years, which sentence shall not be suspended or deferred;

(3) For a third or subsequent offense, or if the offender shall previously have been convicted two or more times in the aggregate of any violation of the law of the United States or of any other state, territory, or district relating to the use or possession of a firearm while committing or attempting to commit a crime, the offender shall be imprisoned for not less than fifteen years, which sentence shall not be suspended or deferred;

(4) Misdemeanors or gross misdemeanors categorized as "inherently dangerous" as the term is used in this statute means any of the following crimes or an attempt to commit any of the same: Simple assault, coercion, vehicle prowling, escape in the third degree, obstructing a public servant, theft in the third degree, resisting arrest, and communication with a minor for immoral purposes.

(5) If any person shall resist apprehension or arrest by firing upon a law enforcement officer, such person shall in addition to the penalty provided by statute for resisting arrest, be guilty of a felony and punished by imprisonment for not less than ten years, which sentence shall not be suspended or deferred.

Sec. 2. Section 1, chapter 64, Laws of 1933 and RCW 9.41.190 are each amended to read as follows:

~~((That))~~ ~~It~~ ~~((shall be))~~ is unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or have in possession~~((;))~~ or under control, any machine gun, or any part thereof capable of use or assembling or repairing any machine gun: PROVIDED, HOWEVER, That such limitation shall not apply to any peace officer in the discharge of official duty, or to any officer or member of the armed forces of the United States or the state of Washington: PROVIDED FURTHER, That this section does not apply to a person, including an employee of such person, who or which is exempt from or licensed under the National Firearms Act (26 U.S.C. section 5801 et seq.), and engaged in the production, manufacture, or testing of weapons or equipment to be used or purchased by the armed forces of the United States, and having a United States government industrial security clearance.

Sec. 3. Section 5, chapter 172, Laws of 1935 as amended by section 4, chapter 124, Laws of 1961 and RCW 9.41.050 are each amended to read as follows:

~~((No person shall carry a pistol in any vehicle unless it is unloaded or carry a pistol concealed on his person, except in his place of abode or fixed place of business, without a license therefor as hereinafter provided))~~ (1) Except in the person's place of abode or fixed place of business, a person shall not carry a pistol concealed on his or her person without a license to carry a concealed weapon.

(2) A person who is in possession of an unloaded pistol shall not leave the unloaded pistol in a vehicle unless the unloaded pistol is locked within the vehicle and concealed from view from outside the vehicle.

(3) A person shall not carry or place a loaded pistol in any vehicle unless the person has a license to carry a concealed weapon and: (a) The pistol is on the licensee's person, (b) the licensee is within the vehicle at all times that the pistol is there, or (c) the licensee is away from the vehicle and the pistol is locked within the vehicle and concealed from view from outside the vehicle.

Sec. 4. Section 13, chapter 249, Laws of 1909 and RCW 9.92.010 are each amended to read as follows:

Every person convicted of a felony for which no punishment is specially prescribed by any statutory provision in force at the time of conviction and sentence, shall be punished by ~~((imprisonment in the state penitentiary for not more than))~~

confinement or fine which shall not exceed confinement in a state correctional institution for a term of ten years, or by a fine in an amount fixed by the court of not more than ((five)) twenty thousand dollars, or by both such confinement and fine.

Sec. 5. Section 15, chapter 249, Laws of 1909 and RCW 9.92.020 are each amended to read as follows:

Every person convicted of a gross misdemeanor for which no punishment is prescribed in any statute in force at the time of conviction and sentence, shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than one year, or by a fine in an amount fixed by the court of not more than ((one)) five thousand dollars, or by both such imprisonment and fine.

Sec. 6. Section 785, Code of 1881 as amended by section 14, chapter 249, Laws of 1909 and RCW 9.92.030 are each amended to read as follows:

Every person convicted of a misdemeanor for which no punishment is prescribed by any statute in force at the time of conviction and sentence, shall be punished by imprisonment in the county jail for a minimum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than ((two hundred and fifty)) one thousand dollars or both such imprisonment and fine.

Sec. 7. Section 1, chapter 24, Laws of 1905 as last amended by section 1, chapter 29, Laws of 1979 and RCW 9.92.060 are each amended to read as follows:

Whenever any person shall be convicted of any crime except murder, burglary in the first degree, arson in the first degree, robbery, carnal knowledge of a female child under the age of ten years, or rape, the court may in its discretion, at the time of imposing sentence upon such person, direct that such sentence be stayed and suspended until otherwise ordered by such court, and that the sentenced person be placed under the charge of a parole or peace officer during the term of such suspension, upon such terms as the court may determine: **PROVIDED**, That as a condition to suspension of sentence, the court may require the convicted person to make such monetary payments, on such terms as the court deems appropriate under the circumstances, as are necessary (1) to comply with any order of the court for the payment of family support, (2) to make restitution to any person or persons who may have suffered loss or damage by reason of the commission of the crime in question or when the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement, ((and)) (3) to pay any fine imposed and not suspended and the court or other costs incurred in the prosecution of the case, including reimbursement of the state for costs of extradition if return to this state by extradition was required, and (4) to contribute to a county or interlocal drug fund. In no case shall a sentence be suspended under the provisions of this section unless the person if sentenced to confinement in a penal institution be placed under the charge of a parole officer, who is a duly appointed and acting officer of the institution to which the person is sentenced: **PROVIDED**, That persons convicted in justice court may be placed under supervision of a probation officer employed for that purpose by the board of county commissioners of the county wherein the court is located. If restitution to the victim has been ordered under subsection (2) of this section, the officer supervising the probationer shall make a reasonable effort to ascertain whether restitution has been made as ordered. If restitution has not been made, the officer shall inform the prosecutor of that violation of the terms of the suspended sentence not less than three months prior to the termination of the suspended sentence.

Sec. 8. Section 2, chapter 188, Laws of 1971 ex. sess. and RCW 9.92.064 are each amended to read as follows:

In the case of a person granted a suspended sentence under the provisions of RCW 9.92.060, the court shall establish a definite termination date for the suspended sentence. The court shall set a date no later than the time the original sentence would have elapsed and may provide for an earlier termination of the suspended sentence. Prior to the entry of an order formally terminating a suspended sentence the court may modify the terms and conditions of the suspension or extend the period of the suspended sentence.

Sec. 9. Section 1, chapter 19, Laws of 1980 as last amended by section 42, chapter 136, Laws of 1981, and RCW 9.95.210 are each amended to read as follows:

The court in granting probation, may suspend the imposing or the execution of the sentence and may direct that such suspension may continue for such period of time, not exceeding the maximum term of sentence, except as hereinafter set forth and upon such terms and conditions as it shall determine.

The court in the order, granting probation and as a condition thereof, may in its discretion imprison the defendant in the county jail for a period not exceeding one year or may fine the defendant any sum not exceeding one thousand dollars plus the costs of the action, and may in connection with such probation impose both imprisonment in the county jail and fine and court costs. The court may also require the defendant to make such monetary payments, on such terms as it deems appropriate under the circumstances, as are necessary (1) to comply with any order of the court for the payment of family support, (2) to make restitution to any person or persons who may have suffered loss or damage by reason of the commission of the crime in question or when the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement, (3) to pay such fine as may be imposed and court costs, including reimbursement of the state for costs of extradition if return to this state by extradition was required, and (4) to contribute to a county or interlocal drug fund, and may require bonds for the faithful observance of any and all conditions imposed in the probation. The court shall order the probationer to report to the secretary of corrections or such officer as the secretary may designate and as a condition of said probation to follow implicitly the instructions of the secretary. If the probationer has been ordered to make restitution, the officer supervising the probationer shall make a reasonable effort to ascertain whether restitution has been made. If restitution has not been made as ordered, the officer shall inform the prosecutor of that violation of the terms of probation not less than three months prior to the termination of the probation period. The secretary of corrections will promulgate rules and regulations for the conduct of such person during the term of his probation: PROVIDED, That for defendants found guilty in justice court, like functions as the secretary performs in regard to probation may be performed by probation officers employed for that purpose by the ~~((board of))~~ county ~~((commissioners))~~ legislative authority of the county wherein the court is located.

Sec. 10. Section 6, chapter 227, Laws of 1957 and RCW 9.95.230 are each amended to read as follows:

The court shall have authority at any time ~~((during the course of))~~ prior to the entry of an order terminating probation to (1) revoke, modify, or change its order of suspension of imposition or execution of sentence; (2) it may at any time, when the

ends of justice will be subserved thereby, and when the reformation of the probationer shall warrant it, terminate the period of probation, and discharge the person so held.

Sec. 11. Section 9A.20.030, chapter 260, Laws of 1975 1st ex. sess. as amended by section 3, chapter 29, Laws of 1979 and RCW 9A.20.030 are each amended to read as follows:

(1) If a person has gained money or property or caused a victim to lose money or property through the commission of a crime, upon conviction thereof or when the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement, the court, in lieu of imposing the fine authorized for the offense under RCW 9A.20.020, may order the defendant to pay an amount, fixed by the court, not to exceed double the amount of the defendant's gain or victim's loss from the commission of a crime. Such amount may be used to provide restitution to the victim at the order of the court. It shall be the duty of the prosecuting attorney to investigate the alternative of restitution, and to recommend it to the court, when the prosecuting attorney believes that restitution is appropriate and feasible. If the court orders restitution, the court shall make a finding as to the amount of the defendant's gain or victim's loss from the crime, and if the record does not contain sufficient evidence to support such finding the court may conduct a hearing upon the issue. For purposes of this section, the terms "gain" or "loss" refer to the amount of money or the value of property or services gained or lost.

(2) Notwithstanding any other provision of law, this section also applies to any corporation or joint stock association found guilty of any crime.

NEW SECTION. Sec. 12. There is added to chapter 9A.52 RCW a new section to read as follows:

(1) A person is guilty of vehicle prowling in the first degree if, with intent to commit a crime against a person or property therein, he enters or remains unlawfully in a motor home, as defined in RCW 46.04.305, or in a vessel equipped for propulsion by mechanical means or by sail which has a cabin equipped with permanently installed sleeping quarters or cooking facilities.

(2) Vehicle prowling in the first degree is a class C felony.

Sec. 13. Section 9A.52.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.100 are each amended to read as follows:

(1) A person is guilty of vehicle prowling in the second degree if, with intent to commit a crime against a person or property therein, he enters or remains unlawfully in a vehicle other than a motor home, as defined in RCW 46.04.305, or a vessel equipped for propulsion by mechanical means or by sail which has a cabin equipped with permanently installed sleeping quarters or cooking facilities.

(2) Vehicle prowling in the second degree is a gross misdemeanor.

Sec. 14. Section 9A.56.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.56.040 are each amended to read as follows:

(1) A person is guilty of theft in the second degree if he commits theft of:

(a) Property or services which exceed(s) two hundred and fifty dollars in value, but does not exceed one thousand five hundred dollars in value; or

(b) A public record, writing, or instrument kept, filed, or deposited according to law with or in the keeping of any public office or public servant; or

(c) A credit card; or

(d) A motor vehicle, of a value less than one thousand five hundred dollars; or

(e) A firearm, of a value less than one thousand five hundred dollars.

(2) Theft in the second degree is a class C felony.

Sec. 15. Section 9A.72.090, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.090 are each amended to read as follows:

(1) A person is guilty of bribing a witness if he offers, confers, or agrees to confer any benefit upon a witness or a person he has reason to believe is about to be called as a witness in any official proceeding or upon a person whom he has reason to believe may have information relevant to a criminal investigation, with intent to:

- (a) Influence the testimony of that person; or
- (b) Induce that person to avoid legal process summoning him to testify; or
- (c) Induce that person to absent himself from an official proceeding to which he has been legally summoned.

(2) Bribing a witness is a class B felony.

Sec. 16. Section 9A.72.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.100 are each amended to read as follows:

(1) A witness or a person who has reason to believe he is about to be called as a witness in any official proceeding or that he may have information relevant to a criminal investigation is guilty of bribe receiving by a witness if he requests, accepts, or agrees to accept any benefit pursuant to an agreement or understanding that:

- (a) His testimony will thereby be influenced; or
- (b) He will attempt to avoid legal process summoning him to testify; or
- (c) He will attempt to absent himself from an official proceeding to which he has been legally summoned.

(2) Bribe receiving by a witness is a class B felony.

Sec. 17. Section 9A.72.110, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.110 are each amended to read as follows:

(1) A person is guilty of intimidating a witness if, by use of a threat directed to a witness or a person he has reason to believe is about to be called as a witness in any official proceeding or to a person whom he has reason to believe may have information relevant to a criminal investigation, he attempts to:

- (a) Influence the testimony of that person; or
 - (b) Induce that person to elude legal process summoning him to testify; or
 - (c) Induce that person to absent himself from such proceedings.
- (2) "Threat" as used in this section means
- (a) to communicate, directly or indirectly, the intent immediately to use force against any person who is present at the time; or
 - (b) threats as defined in RCW 9A.04.110(25).

(3) Intimidating a witness is a class B felony.

Sec. 18. Section 9A.72.120, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.120 are each amended to read as follows:

(1) A person is guilty of tampering with a witness if he attempts to induce a witness or person he has reason to believe is about to be called as a witness in any official proceeding or a person whom he has reason to believe may have information relevant to a criminal investigation to:

- (a) Testify falsely or, without right or privilege to do so, to withhold any testimony; or
 - (b) Absent himself from such proceedings.
- (2) Tampering with a witness is a class C felony.

Sec. 19. Section 9A.76.050, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.050 are each amended to read as follows:

As used in RCW 9A.76.070, 9A.76.080, and 9A.76.090, a person "renders criminal assistance" if, with intent to prevent, hinder, or delay the apprehension or prosecution of another person who he knows has committed a crime or juvenile offense or is being sought by law enforcement officials for the commission of a crime or juvenile offense or has escaped from a detention facility, he:

- (1) Harbors or conceals such person; or
- (2) Warns such person of impending discovery or apprehension; or

(3) Provides such person with money, transportation, disguise, or other means of avoiding discovery or apprehension; or

(4) Prevents or obstructs, by use of force, deception, or threat, anyone from performing an act that might aid in the discovery or apprehension of such person; or

(5) Conceals, alters, or destroys any physical evidence that might aid in the discovery or apprehension of such person; or

(6) Provides such person with a weapon.

Sec. 20. Section 9A.76.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.070 are each amended to read as follows:

(1) A person is guilty of rendering criminal assistance in the first degree if he renders criminal assistance to a person who has committed or is being sought for murder in the first degree or any class A felony or equivalent juvenile offense.

(2) Rendering criminal assistance in the first degree is:

(a) A gross misdemeanor if it is established by a preponderance of the evidence that the actor is a relative as defined in RCW 9A.76.060;

(b) A class C felony in all other cases.

Sec. 21. Section 9A.76.080, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.080 are each amended to read as follows:

(1) A person is guilty of rendering criminal assistance in the second degree if he renders criminal assistance to a person who has committed or is being sought for a class B or class C felony or an equivalent juvenile offense or to someone being sought for violation of parole, probation, or community supervision.

(2) Rendering criminal assistance in the second degree is:

(a) A misdemeanor if it is established by a preponderance of the evidence that the actor is a relative as defined in RCW 9A.76.060;

(b) A gross misdemeanor in all other cases.

Sec. 22. Section 9A.76.110, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.110 are each amended to read as follows:

(1) A person is guilty of escape in the first degree if, being detained pursuant to a conviction of a felony or an equivalent juvenile offense, he escapes from custody or a detention facility.

(2) Escape in the first degree is a class B felony.

Sec. 23. Section 9A.76.120, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.120 are each amended to read as follows:

(1) A person is guilty of escape in the second degree if:

(a) He escapes from a detention facility; or

(b) Having been charged with a felony or an equivalent juvenile offense, he escapes from custody.

(2) Escape in the second degree is a class C felony.

Sec. 24. Section 1, chapter 75, Laws of 1979 ex. sess. and RCW 46.61.024 are each amended to read as follows:

Any driver of a motor vehicle who wilfully fails or refuses to immediately bring his vehicle to a stop and who drives his vehicle in a manner indicating a wanton (~~and~~) or wilful disregard for the lives or property of others while attempting to elude a pursuing police vehicle, after being given a visual or audible signal to bring the vehicle to a stop, shall be guilty of a class C felony. The signal given by the police officer may be by hand, voice, emergency light, or siren. The officer giving such a signal shall be in uniform and his vehicle shall be appropriately marked showing it to be an official police vehicle.

Sec. 25. Section 1, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.010 are each amended to read as follows:

Upon arraignment in a court of limited jurisdiction a person charged with a misdemeanor or gross misdemeanor may petition the court to be considered for a

deferred prosecution program. A person charged with a traffic infraction, misdemeanor, or gross misdemeanor under Title 46 RCW shall not be eligible for a deferred prosecution program.

Sec. 26. Section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 6, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.515 are each amended to read as follows:

(1) Every person who is convicted of a violation of RCW 46.61.502 or 46.61.504 shall be punished by imprisonment for not less than ~~((one day))~~ twenty-four consecutive hours nor more than one year, and by a fine of not more than five hundred dollars. The person shall, in addition, be required to ~~((complete a course at an alcohol information school approved by the department of social and health services. One day))~~ undergo an evaluation screening at a program approved by the department of social and health services or such other evaluation screening as the court shall designate. The screening shall employ standardized tests prescribed by the department of social and health services pursuant to the administrative procedure act, chapter 34.04 RCW, to assess the person's need for alcoholism or drug abuse treatment. Based upon the outcome of that screening, the person shall be required to complete either a course at an alcohol information school approved by the department of social and health services or a program of alcoholism or drug abuse treatment approved by the department of social and health services. The costs of the evaluation screening and alcohol information school shall be paid by the convicted person and be approved by the court. A convicted person who objects to the evaluation decision may petition the court to review the decision. Twenty-four consecutive hours of the jail sentence shall not be suspended or deferred unless the judge finds that the imposition of the jail sentence will pose a risk to the defendant's physical or mental well-being. Whenever the mandatory jail sentence is suspended or deferred, the judge must state, in writing, the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. The court may impose conditions of probation that may include nonrepetition, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate.

(2) On a second or subsequent conviction ~~((under RCW 46.61.502 or 46.61.504))~~ for driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs within a five year period a person shall be punished by imprisonment for not less than seven days nor more than one year and by a fine not more than one thousand dollars. The jail sentence shall not be suspended or deferred unless the judge finds that the imposition of the jail sentence will pose a risk to the defendant's physical or mental well-being. Whenever the mandatory jail sentence is suspended or deferred, the judge must state, in writing, the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. If such person at the time of a second or subsequent conviction is without a license or permit because of a previous suspension or revocation, the minimum mandatory sentence shall be ninety days in jail and a two hundred dollar fine. The penalty so imposed shall not be suspended or deferred. The person shall, in addition, be required to complete diagnostic evaluation and, if required, treatment at an approved alcoholism treatment facility or approved drug treatment center, and a copy of the evaluation and treatment report shall be sent to the department of licensing.

In addition to any nonsuspendable and nondeferrable jail sentence required by this subsection, the court shall sentence a person to a term of imprisonment not exceeding one hundred eighty days and shall suspend but shall not defer the sentence for a period not exceeding two years. The suspension of the sentence may be conditioned upon nonrepetition, alcohol or drug treatment, supervised probation, or

other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of suspension during the suspension period.

(3) There shall be levied and paid into the highway safety fund of the state treasury a penalty assessment in the minimum amount of twenty-five percent of, and which shall be in addition to, any fine, bail forfeiture, or costs on all offenses involving a violation of any state statute or city or county ordinance relating to driving a motor vehicle while under the influence of intoxicating liquor or being in actual physical control of a motor vehicle while under the influence of intoxicating liquor: **PROVIDED**, That all funds derived from such penalty assessment shall be in addition to and exclusive of assessments made under RCW 46.81.030 and shall be for the exclusive use of the department for driver services programs and for a state-wide alcohol safety action program, or other similar programs designed primarily for the rehabilitation or control of traffic offenders. Such penalty assessment shall be included in any bail schedule and shall be included by the court in any pronouncement of sentence.

(4) Notwithstanding the provisions contained in chapters 3.16, 3.46, 3.50, 3.62, or 35.20 RCW, or any other section of law, the penalty assessment provided for in subsection (3) of this section shall not be suspended, waived, modified, or deferred in any respect, and all moneys derived from such penalty assessments shall be forwarded to the highway safety fund to be used exclusively for the purposes set forth in subsection (3) of this section.

(5) The license or permit to drive or any nonresident privilege of any person convicted of ((either of the offenses named in RCW 46.61.502 or 46.61.504)) driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs shall:

(a) On the first conviction under either such offense, be suspended by the department for not less than thirty days: **PROVIDED**, That the court may recommend that no suspension action be taken. The court shall forward a copy of the completed diagnostic evaluation and treatment report to the department of licensing before the department may reinstate the person's driver's license. The department of licensing shall determine the person's eligibility for licensing based upon these reports and shall deny reinstatement until enrollment and participation in an approved program has been established and the person is otherwise qualified;

(b) On a second conviction under either such offense within a five year period, be suspended by the department for not less than sixty days. The court shall forward a copy of the completed diagnostic evaluation and treatment report to the department of licensing before the department may reinstate the person's driver's license. The department of licensing shall determine the person's eligibility for licensing based upon these reports as provided in RCW 46.20.031 and shall deny reinstatement until satisfactory progress in an approved program has been established and the person is otherwise qualified;

(c) On a third or subsequent conviction under either such offense within a five year period, be revoked by the department.

(6) In any case provided for in this section, where a driver's license is to be revoked or suspended, such revocation or suspension shall be stayed and shall not take effect until after the determination of any appeal from the conviction which may lawfully be taken, but in case such conviction is sustained on appeal such revocation or suspension shall take effect as of the date that the conviction becomes effective for other purposes.

~~((7) The provisions of this section limiting the authority of a court to defer or suspend a sentence shall not take effect until January 1, 1980. The division of criminal justice, no later than December 31, 1980, shall submit a study to the house of representatives and to the senate which details the impact of the sentencing provisions established by this section. The impact study shall include, but shall not be~~

limited to, the following information: ~~The impact of the provisions upon county jail conditions and bed space, the cost impact of the provisions upon local and state governments, and the existence of alternative facilities to which individuals sentenced under this section may be committed:)~~

NEW SECTION. Sec. 27. Section 777, Code of 1881, section 63, chapter 249, Laws of 1909 and RCW 10.43.010 are each repealed.

On motion of Senator Rasmussen, the following amendment to the amendment by Senators Newhouse, Quigg, Vognild and others was adopted:

On page 5, after line 2, add a new section as follows:

"NEW SECTION. Sec. 4. There is added to chapter 9.41 RCW a new section to read as follows:

(1) It is unlawful for an elementary or secondary school student under the age of twenty-one knowingly to carry onto public or private elementary or secondary school premises:

- (a) Any firearm, or
- (b) any dangerous weapon as defined in RCW 9.41.21.250, or
- (c) any device commonly known as "nun-chu-ka sticks," consisting of two or more lengths of wood, metal, plastic, or similar substance connected with wire, rope, or other means, or

(d) any device, commonly known as "throwing stars," which are multi-pointed, metal objects designed to embed upon impact from any aspect.

(2) Any such student violating subsection (1) of this section is guilty of a gross misdemeanor,

(3) Subsection (1) of this section does not apply to:

- (a) Any student of a private military academy; or
- (b) Any student engaged in military activities, sponsored by the federal or state governments while engaged in official duties; or

(c) Any student who is attending a convention or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed; or

(d) Any student who possess nun-chu-ka sticks, throwing stars, or other dangerous weapons to be used in martial arts classes conducted on the school premises."

Renumber the remaining sections accordingly.

On motion of Senator Hemstad, the following amendments by Senators Newhouse, Quigg, Vognild, Rasmussen, Hemstad, Wojahn, Gould, Metcalf, Pullen and Woody to the amendment by Senators Newhouse, Quigg, Vognild and others were considered and adopted simultaneously:

On page 21, beginning on line 12, strike everything down through page 22, "decision." on line 3, and insert "complete a course at an alcohol information school approved by the department of social and health services. (~~One day~~) If, after completing an alcohol evaluation at the alcohol information school, the convicted person is found to have a serious alcohol problem, the alcohol information school may recommend more intensive alcoholism treatment in a program approved by the department of social and health services. In the alternative, the court may bypass alcohol information school if the court determines that more intensive alcoholism treatment in a program approved by the department of social and health services is appropriate. Standards for approval shall be prescribed by rule under the administrative procedure act, chapter 34.04 RCW. The courts shall periodically review the costs of alcohol information schools and treatment programs within their jurisdiction."

On page 23, strike lines 14 through 20, and insert: "diagnostic evaluation at an alcoholism program approved by the department of social and health services or other diagnostic evaluation as the court designates. If the person is found to have an

alcohol or drug problem requiring treatment, the person shall complete treatment at an approved alcoholism treatment facility or approved drug treatment center."

On page 25, line 18, following "taken," strike "The court" and insert "The treatment agency"

On page 25, line 36, after "days," strike "The court" and insert "The treatment agency"

The motion by Senator Hemstad carried and the amendment by Senators Newhouse, Quigg, Vognild, Rasmussen, Hemstad, Wojahn, Gould, Metcalf, Pullen and Woody, as amended, was adopted.

Senator Hemstad moved adoption of the following amendment by Senators Newhouse, Quigg, Vognild, Rasmussen, Hemstad, Wojahn, Gould, Metcalf, Pullen and Woody to the title:

In line 1 of the title, after "crimes;" strike the remainder of the title, and insert "amending section 1, chapter 175, Laws of 1969 ex. sess. as amended by section 1, chapter 258, Laws of 1981 and RCW 9.41.025; amending section 1, chapter 64, Laws of 1933 and RCW 9.41.190; amending section 5, chapter 172, Laws of 1935 as amended by section 4, chapter 124, Laws of 1961 and RCW 9.41.050; amending section 13, chapter 249, Laws of 1909 and RCW 9.92.010; amending section 15, chapter 249, Laws of 1909 and RCW 9.92.020; amending section 785, Code of 1881 as amended by section 14, chapter 249, Laws of 1909 and RCW 9.92.030; amending section 1, chapter 24, Laws of 1905 as last amended by section 1, chapter 29, Laws of 1979 and RCW 9.92.060; amending section 2, chapter 188, Laws of 1971 ex. sess. and RCW 9.92.064; amending section 1, chapter 19, Laws of 1980 as amended by section 42, chapter 136, Laws of 1981 and RCW 9.95.210; amending section 6, chapter 227, Laws of 1957 and RCW 9.95.230; amending section 9A.20.030, chapter 260, Laws of 1975 1st ex. sess. as amended by section 3, chapter 29, Laws of 1979 and RCW 9A.20.030; amending section 9A.52.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.100; amending section 9A.56.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.56.040; amending section 9A.72.090, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.090; amending section 9A.72.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.100; amending section 9A.72.110; chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.110; amending section 9A.72.120, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.120; amending section 9A.76.050, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.050; amending section 9A.76.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.070; amending section 9A.76.080, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.080; amending section 9A.76.110, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.110; amending section 9A.76.120, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.120; amending section 1, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.010; amending section 1, chapter 75, Laws of 1979 ex. sess. and RCW 46.61.024; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 6, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.515; adding a new section to chapter 9A.52 RCW; repealing section 777, Code of 1881, section 63, chapter 249, Laws of 1909 and RCW 10.43.010; and prescribing penalties."

On motion of Senator Rasmussen, the following amendment to the amendment by Senators Newhouse, Quigg, Vognild and others to the title was adopted:

On page 1, line 2, after "9.41.025;" insert adding a new section to chapter 9.41 RCW;"

The motion by Senator Hemstad carried and the amendment to the title, as amended, was adopted.

On motion of Senator Hemstad, the rules were suspended, House Bill No. 600, 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: "Senator Hemstad, I think that members on both sides of the aisle would agree that you are an advocate of good government, and good, sensible procedures here in the legislature.

"At nine minutes after seven this evening, a twenty-nine page striking amendment was passed out. Since then I think six or seven amendments have been attached to the striking amendment, and now at about seven fifteen, we are expected to vote on this. I would have to guess that, if a written quiz were conducted among members of this body on the contents of this bill, that 90 to 95% of the members would fail.

"Do you really think that this is a good idea to be rushing this sort of important legislation through this body at seven fifteen in the evening with virtually no one knowing what we are doing?"

Senator Hemstad: "Thank you, Senator Wilson. In responding to your question, first, House Bill 600 was considered during the regular session in the normal course, the striking amendment contains the contents of House Bill 600 as we formerly adopted it. It passed from here by a very substantial majority and the reason that it is back here, is that the House did not have time to consider it before the end of the regular session.

"If you wish, I will take the time at this point to summarize the contents of the bill, if you so desire."

MOTION

On motion of Senator Bluechel, Senator Hayner was excused.
Debate ensued.

ROLL CALL

The Secretary called the final passage of House Bill No. 600, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 31; nays, 13; excused, 5.

Voting yea: Senators Bauer, Benitz, Bluechel, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Goltz, Gould, Haley, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Shipoch, Vognild, von Reichbauer, Wojahn, Woody—31.

Voting nay: Senators Charnley, Gaspard, Guess, Hansen, Hughes, Hurley, Moore, Peterson, Sellar, Talmadge, Williams, Wilson, Zimmerman—13.

Excused: Senators Bottiger, Hayner, Lysen, McDermott, Talley—5.

HOUSE BILL NO. 600, 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 Clarke, House Bill No. 967 was ordered held for consideration at a later time.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 923, by House Committee on State Government (originally sponsored by Representatives Addison, Fiske, Salatino, Garson, Walk, Johnson, Nelson (D.) and others):

Creating a state center for voluntary action.

The bill was read the second time by sections.

Senator Fleming moved adoption of the following amendment:

On page 5, line 31, strike all of New Section 9 and renumber the remaining section accordingly.

Debate ensued.

Senator Moore demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senator Fleming.

ROLL CALL

The Secretary called the roll and the amendment was not adopted by the following vote: Yeas, 18; nays, 26; absent or not voting, 2; excused, 3.

Voting yea: Senators Bauer, Bottiger, Conner, Craswell, Fleming, Gallagher, Gaspard, Hansen, Hughes, McCaslin, Moore, Peterson, Pullen, Rasmussen, Ridder, Talmadge, Vognild, Wilson—18.

Voting nay: Senators Benitz, Bluechel, Charnley, Clarke, Deccio, Fuller, Goltz, Gould, Guess, Haley, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, Metcalf, Quigg, Scott, Sellar, Shinpoch, von Reichbauer, Williams, Wojahn, Woody, Zimmerman—26.

Absent or not voting: Senators Newhouse, Patterson—2.

Excused: Senators Lysen, McDermott, Talley—3.

On motion of Senator Metcalf, the rules were suspended, Engrossed House Bill No. 923 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. 923 and the bill passed the Senate by the following vote: Yeas, 37; nays, 7; absent or not voting, 2; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Charnley, Clarke, Conner, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, Metcalf, Moore, Peterson, Quigg, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wojahn, Woody, Zimmerman—37.

Voting nay: Senators Bottiger, Craswell, Hughes, McCaslin, Pullen, Rasmussen, Wilson—7.

Absent or not voting: Senators Newhouse, Patterson—2.

Excused: Senators Lysen, McDermott, Talley—3.

ENGROSSED HOUSE BILL NO. 923, having received the 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. 967, by House Committee on Institutions and Representatives Houchen, Owen, Struther and Clayton (by Department of Corrections request):

Providing additional conditions for prisoners' leave of absence.

The bill was read the second time by sections.

Senators Pullen moved adoption of the following amendment by Senators Pullen, Rasmussen and Deccio:

On page 1, section 1, line 27 after "projects." insert "For the purposes of subsection 6 of this section an inmate on minimum security status shall be one who is

under confinement for a crime other than murder, robbery, rape, kidnaping, assault, or arson."

POINT OF INQUIRY

Senator Deccio: "Senator Pullen, just to clarify, then, the restriction in the amendment would only apply to sub (6), which would only deal with community service work and would not apply to those having to go outside the walls for medical or dental service?"

Senator Pullen: "That is absolutely correct, Senator Deccio."

The motion by Senator Pullen carried and the amendment was adopted.

On motion of Senator Deccio, the rules were suspended, House Bill No. 967, 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 House Bill No. 967, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; nays, 4; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Ridder, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—42.

Voting nay: Senators Bottiger, Gaspard, Pullen, Scott—4.

Excused: Senators Lysen, McDermott, Talley—3.

HOUSE BILL NO. 967, 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 Bottiger moved the Senate now consider Engrossed House Bill No. 795.

MOTION

At 7:48 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 8:33 p.m.

MOTION

On motion of Senator Bottiger, there being no objection, the motion to consider Engrossed House Bill No. 795 was withdrawn with the assurance by Senator Clarke that House Bill No. 795 and House Bill No. 796 will be considered following Reengrossed House Bill No. 286.

SECOND READING

REENGROSSED HOUSE BILL NO. 286, by Representatives Teutsch, Brekke, Mitchell, Valle, Williams, Wang, King (J.), Tilly, Rinehart, Thompson, Sommers, McDonald, Stratton, Pruitt, Nisbet, Chamberlain, Winsley, Sanders, Ehlers, Sherman, Patrick, Lux, Isaacson, Eng, Greengo, Gruger, Tupper, Garrett, Wilson, Maxie, Erickson, Eberle, Heck, Granlund, Kreidler, Hine, Burns and Rust:

Continuing the displaced homemaker program.

The bill was read the second time by sections.

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

Strike everything after the enacting clause and insert the following:

"Section 1. Section 2, chapter 73, Laws of 1979 and RCW 28B.04.020 are each amended to read as follows:

The legislature finds that homemakers are an unrecognized part of the work force who make an invaluable contribution to the strength, durability, and purpose of our state.

The legislature further finds that there is an increasing number of persons in this state who, having fulfilled a role as homemaker, find themselves "displaced" in their middle years through divorce, death of spouse, disability of spouse, or other loss of family income of a spouse. As a consequence, displaced homemakers are very often left with little or no income; they are ineligible for categorical welfare assistance; they are subject to the highest rate of unemployment of any sector of the work force; they face continuing discrimination in employment because of their age and lack of recent paid work experience; they are ineligible for unemployment insurance because they have been engaged in unpaid labor in the home; they are ineligible for social security benefits because they are too young, and many never qualify because they have been divorced from the family wage earner; they may have lost beneficiaries' rights under employer's pension and health plans through divorce or death of spouse; and they are often unacceptable to private health insurance plans because of their age.

It is the purpose of this chapter to establish (~~(a two-year pilot project)~~) guidelines under which the council for postsecondary education shall contract to establish multipurpose service centers and programs to provide necessary training opportunities, counseling, and services for displaced homemakers so that they may enjoy the independence and economic security vital to a productive life.

Sec. 2. Section 4, chapter 73, Laws of 1979 and RCW 28B.04.040 are each amended to read as follows:

(1) The council, in consultation with state and local governmental agencies, community groups, and local and national organizations concerned with displaced homemakers, shall receive applications and may contract with public or private nonprofit organizations to establish multipurpose service centers for displaced homemakers. In determining sites and administering agencies or organizations for the centers, the council shall consider the experience and capabilities of the public or private nonprofit organizations making application to provide services to a center.

(2) Not later than ninety days after June 7, 1979, the council shall issue rules prescribing the standards to be met by each center in accordance with the (~~(policies)~~) policies set forth in this chapter. Continuing funds for the maintenance of each center shall be contingent upon the determination by the council that the center is in compliance with the contractual conditions and with the rules prescribed by the council.

Sec. 3. Section 5, chapter 73, Laws of 1979 and RCW 28B.04.050 are each amended to read as follows:

(1) Each center contracted for under this chapter shall include or provide information and referral to the following services:

(a) Job counseling services which shall:

(i) Be specifically designed for displaced homemakers;

(ii) Counsel displaced homemakers with respect to appropriate job opportunities; and

(iii) Take into account and build upon the skills and experience of a homemaker and emphasize job readiness as well as skill development;

(b) Job training and job placement services which shall:

(i) Emphasize short-term training programs and programs which expand upon homemaking skills and volunteer experience and which lead to gainful employment;

(ii) Develop, through cooperation with state and local government agencies and private employers, model training and placement programs for jobs in the public and private sectors;

(iii) Assist displaced homemakers in gaining admission to existing public and private job training programs and opportunities, including vocational education and apprenticeship training programs; and

(iv) Assist in identifying community needs and creating new jobs in the public and private sectors;

(c) Health counseling services, including referral to existing health programs, with respect to:

(i) General principles of preventative health care;

(ii) Health care consumer education, particularly in the selection of physicians and health care services, including, but not limited to, health maintenance organizations and health insurance;

(iii) Family health care and nutrition;

(iv) Alcohol and drug abuse; and

(v) Other related health care matters;

(d) Financial management services which provide information and assistance with respect to insurance, taxes, estate and probate problems, mortgages, loans, and other related financial matters;

(e) Educational services, including:

(i) Outreach and information about courses offering credit through secondary or postsecondary education programs, and other re-entry programs, including bilingual programming where appropriate; and

(ii) Information about such other programs as are determined to be of interest and benefit to displaced homemakers by the council;

(f) Legal counseling and referral services; and

(g) Outreach and information services with respect to federal and state employment, education, health, public assistance, and unemployment assistance programs which the council determines would be of interest and benefit to displaced homemakers.

(2) The staff positions of each multipurpose center contracted for in accordance with RCW ((~~28B.04.030~~) 28B.04.040), including supervisory, technical, and administrative positions, shall, to the maximum extent possible, be filled by displaced homemakers.

Sec. 4. Section 6, chapter 73, Laws of 1979 and RCW 28B.04.060 are each amended to read as follows:

The council may contract, where appropriate, with public or private nonprofit groups or organizations serving the needs of displaced homemakers for programs designed to:

(1) Provide direct services to displaced homemakers, including job counseling, job training and placement, health counseling, financial management, educational counseling, legal counseling, and referral services as described in RCW ((~~28B.04-040~~) 28B.04.050);

(2) Provide state-wide outreach and information services for displaced homemakers; and

(3) Provide training opportunities for persons serving the needs of displaced homemakers, including those persons in areas not directly served by programs and centers established under this chapter.

Sec. 5. Section 7, chapter 73, Laws of 1979 and RCW 28B.04.070 are each amended to read as follows:

The council shall submit to the legislature (~~(a final)~~) an evaluation at the end of the ((two-year project)) first two years and a biennial evaluation beginning in January 1984. The evaluations may include recommendation for future programs as ((submitted by the centers established under this chapter)) determined by the council.

Sec. 6. Section 8, chapter 73, Laws of 1979 and RCW 28B.04.080 are each amended to read as follows:

(1) The council shall consult and cooperate with the department of social and health services; the state board for community college education; the superintendent of public instruction; the commission for vocational education; the employment security department; the department of labor and industries; sponsoring agencies under the federal comprehensive employment and training act (87 Stat. 839; 29 U.S.C. Sec. 801 et seq.), and any other persons or agencies as the council deems appropriate to facilitate the coordination of centers established under this chapter with existing programs of a similar nature.

(2) Annually on July 1st, each agency listed in subsection (1) of this section shall submit a description of each service or program under its jurisdiction which would support the programs and centers established by this chapter and the funds available for such support.

(3) The council shall serve as a clearinghouse for displaced homemaker information and resources and shall compile and disseminate ~~((the))~~ state-wide information to the centers, related agencies, and interested persons upon request.

Sec. 7. Section 36.18.010, chapter 4, Laws of 1963 as last amended by section 12, chapter ... (3SHB 179), Laws of 1982 and RCW 36.18.010 are each amended to read as follows:

County auditors shall collect the following fees for their official services: For filing each chattel mortgage, renewal affidavit, or conditional sale contract, and entering same as required by law, two dollars; for each assignment, modification, transfer, correction, or release of chattel mortgage, conditional sale contract, or miscellaneous instrument, two dollars;

For filing a release of chattel mortgage, conditional sale contract, or miscellaneous instrument, two dollars: PROVIDED, That said fee shall be paid at the time of filing the chattel mortgage, conditional sale contract, or miscellaneous instrument, and no charge shall be made when the release of any of the above instruments is filed;

For recording instruments, for the first page, legal size (eight and one-half by thirteen inches or less), three dollars; for each additional legal size page, one dollar; for indexing each name over two, fifty cents;

For marginal release of mortgage or lien, one dollar;

For preparing and certifying copies, for the first legal size page, two dollars; for each additional legal size page, one dollar;

For preparing noncertified copies, for each legal size page, fifty cents;

For administering an oath or taking an affidavit, with or without seal, two dollars;

For issuing marriage license, eight dollars, (this fee includes taking necessary affidavits, filing returns, indexing, and transmittal of a record of the marriage to the state registrar of vital statistics) plus an additional five-dollar fee to be transmitted monthly to the state treasurer and deposited in the state general fund, which five-dollar fee shall expire June 30, 1984, plus an additional five-dollar fee to be transmitted monthly to the state treasurer and deposited in the state general fund which five-dollar fee shall expire June 30, 1987;

For searching records per hour, four dollars;

For recording plats, fifty cents for each lot except cemetery plats for which the charge shall be twenty-five cents per lot; also one dollar for each acknowledgment,

dedication, and description: PROVIDED, That there shall be a minimum fee of twenty-five dollars per plat;

For filing of miscellaneous records, not listed above, three dollars;

For making marginal notations on original recording when blanket assignment or release of instrument is filed for record, each notation, fifty cents;

For recording of miscellaneous records, not listed above, for first legal size page, three dollars; for each additional legal size page, one dollar.

NEW SECTION. Sec. 8. There is appropriated to the council for postsecondary education from the general fund for the biennium ending June 30, 1983, the sum of two hundred forty-four thousand dollars to carry out the purposes of this act.

NEW SECTION. Sec. 9. Section 13, chapter 73, Laws of 1979 and RCW 28B.04.130 are each repealed.

NEW SECTION. Sec. 10. 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.

NEW SECTION. Sec. 11. The provisions of this 1982 act shall cease to exist on June 30, 1987, unless extended by law for an additional fixed period of time."

On motion of Senator Hemstad, the following amendment to the title was adopted:

On page 1, line 1 of the title after "homemakers;" strike the remainder of the title and insert "amending section 2, chapter 73, Laws of 1979 and RCW 28B.04.020; amending section 4, chapter 73, Laws of 1979 and RCW 28B.04.040; amending section 5, chapter 73, Laws of 1979 and RCW 28B.04.050; amending section 6, chapter 73, Laws of 1979 and RCW 28B.04.060; amending section 7, chapter 73, Laws of 1979 and RCW 28B.04.070; amending section 8, chapter 73, Laws of 1979 and RCW 28B.04.080; amending section 36.18.010, chapter 4, Laws of 1963 as last amended by section 12, chapter ... (3SHB 179), Laws of 1982 and RCW 36.18.010; repealing section 13, chapter 73, Laws of 1979 and RCW 28B.04.130; making an appropriation; providing an expiration date; and declaring an emergency."

On motion of Senator Hemstad, the rules were suspended, Reengrossed House Bill No. 286, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Reengrossed House Bill No. 286, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 1; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Moore, Patterson, Peterson, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—43.

Voting nay: Senators Craswell, Pullen—2.

Absent or not voting: Senator Newhouse—1.

Excused: Senators Lysen, McDermott, Talley—3.

REENGROSSED HOUSE BILL NO. 286, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 795, by House Committee on Labor and Economic Development and Representative Sanders (by Department of Labor and Industries request):

Establishing user fees to allow the department of labor and industries to defray the cost of administering the prevailing wage law and the minor work permit law.

REPORT OF STANDING COMMITTEE

March 18, 1982.

ENGROSSED HOUSE BILL NO. 795, establishing user fees to allow the department of labor and industries to defray the cost of administering the prevailing wage law and the minor work permit law (reported by Committee on Commerce and Labor):

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert:

"NEW SECTION. Section 1. There is added to chapter 39.12 RCW a new section to read as follows:

The department of labor and industries may charge fees to awarding agencies on public works for the approval of statements of intent to pay prevailing wages and the certification of affidavits of wages paid. The department may also charge fees to persons or organizations requesting the arbitration of disputes under RCW 39.12-.060. The amount of the fees shall be established by rules adopted by the department under the procedures in the administrative procedure act, chapter 34.04 RCW. The fees shall apply to all approvals, certifications, and arbitration requests made after the effective date of the rules. All fees shall be deposited in the general fund. The department may refuse to arbitrate for contractors, subcontractors, persons, or organizations which have not paid the proper fees. The department may, if necessary, request the attorney general to take legal action to collect delinquent fees.

The department shall set the fees permitted by this section at a level that generates revenue that is as near as practicable to the amount of the appropriation to carry out the activities specified in this section.

NEW SECTION. Sec. 2. There is appropriated to the department of labor and industries from the general fund for the biennium ending June 30, 1983, the sum of seven hundred fifty-four thousand dollars, or so much thereof as may be necessary, to carry out the purposes of the industrial relations division.

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 page 1, beginning on line 2 of the title after "39.12 RCW;" strike all material down through "49.12.123;" on line 5 and insert "making an appropriation;"

Signed by: Senators Quigg, Chairman; Hurley, Jones, Newhouse, Vognild, Williams.

The bill was read the second time by sections.

On motion of Senator Quigg, the committee amendment was adopted.

On motion of Senator Quigg, the committee amendment to the title was adopted.

On motion of Senator Quigg, the rules were suspended, Engrossed House Bill No. 795, 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. 795, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 1; excused, 3.

Voting yea: Senators Bauer, Benitz, Bottiger, Charnley, Clarke, Conner, Craswell, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—43.

Voting nay: Senators Bluechel, McCaslin—2.

Absent or not voting: Senator Deccio—1.

Excused: Senators Lysen, McDermott, Talley—3.

ENGROSSED HOUSE BILL NO. 795, 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. 796, by House Committee on Labor and Economic Development and Representatives Sanders and Tilly (by Department of Labor and Industries request):

Revising laws on review of apprenticeship programs.

REPORT OF STANDING COMMITTEE

March 18, 1982.

HOUSE BILL NO. 796, revising laws on review of apprenticeship programs (reported by Committee on Commerce and Labor):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 20, insert the following:

"(2) The department shall set the fees permitted by this chapter at a level that generates revenue that is not less than fifty percent of the appropriation for the apprenticeship division for each biennium."

Remember the remaining subsections and correct references accordingly.

On page 1, after line 28, insert the following:

"**NEW SECTION.** Sec. 2. There is appropriated to the Department of Labor and Industries from the general fund for the biennium ending June 30, 1983, the sum of five hundred thirty four thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this chapter."

Remember the remaining section consecutively.

Signed by: Senators Quigg, Chairman; Hurley, Vognild, Williams.

The bill was read the second time by sections.

On motion of Senator Quigg, the committee amendments were considered and adopted simultaneously.

Senator Newhouse moved adoption of the following amendment by Senators Newhouse and Hurley:

On page 1, after line 28, insert the following:

"Sec. 2. Section 3, chapter 231, Laws of 1941 and RCW 49.04.040 are each amended to read as follows:

Local and state (~~joint~~) apprenticeship committees (~~may~~) shall be approved, in any trade or group of trades, in cities or trade areas, by the apprenticeship council, whenever the (~~apprentice training needs of such trade or group of trades justifies such establishment~~) committee meets the requirements of this section. Such local or state (~~joint~~) apprenticeship committees shall be composed of: (1) An equal

number of employer and employee representatives chosen from names submitted by the respective local or state employer and employee organizations in such trade or group of trades~~(:);~~ (2) in a trade or group of trades in which there is no bona fide employer or employee organization, ~~((the joint committee shall be composed of))~~ persons known to represent the interests of employer and of employees respectively, or ~~((a state joint apprenticeship committee may be approved as, or))~~ the council may act itself as the ~~((joint))~~ committee in such trade or group of trades; or (3) where the employees to be trained have no collective bargaining agent, an employer or group of employers. Subject to the review of the council and in accordance with the standards established by this chapter and by the council, such committees shall devise standards for apprenticeship agreements and give such aid as may be necessary in their operation in their respective trades and localities.

NEW SECTION. Sec. 3. It is the intent of the legislature that the fees authorized under section 1 of this act to operate the state apprenticeship program be used to ensure equal opportunity to all citizens to participate in apprenticeship programs and that apprentice programs shall be established in compliance with the provisions of this title to afford all citizens the equal opportunity to participate in apprenticeship programs. In order to ensure equal opportunity:

(1) Effective September 1, 1982, all rules adopted under chapter 49.04 RCW prior to the effective date of this act shall be repealed.

(2) By September 1, 1982, the director shall adopt rules under the administrative procedure act, chapter 34.04 RCW, to implement chapter 49.04 RCW. The rules shall be consistent with 29 CFR Parts 29 and 30.

(3) The director of labor and industries shall report to the legislature, before January 15, 1983, and include in the report changes to chapter 49.04 RCW as recommended by the United States Department of Labor for consistency with the intent of 29 CFR Parts 29 and 30."

Renumber the remaining section consecutively.

Debate ensued.

POINT OF ORDER

Senator Vognild: "Thank you, Mr. President, I would raise the question of scope and object.

"House Bill 796 deals solely with the method of funding the state apprenticeship program through a combination of user fees and general fund appropriation. This proposed amendment would alter the method and requirements for approving local and state apprenticeship committees and allow unilateral apprenticeship programs. These changes go far beyond the purpose of the bill which is to provide a new method of financing the existing apprenticeship program. The proposed amendment would also make changes in RCW 49.04.040 which is not included in the original bill.

"I therefore believe that this amendment does expand the scope and object of the bill."

MOTION

On motion of Senator Clarke, House Bill No. 796, as amended, the pending amendment by Senators Newhouse and Hurley and the Point of Order raised by Senator Vognild, was ordered held pending a Ruling by the President.

REMARKS BY SENATOR HAYNER

Senator Hayner: "Mr. President, I would like to announce to the body that we have before us, a proclamation by the Governor which amends his proclamation of March 11, 1982, to extend the period of time seven more days."

POINT OF INQUIRY

Senator Rasmussen: "Senator Hayner, I did not know that the executive power extended to the legislative. My understanding there were three separate, the judicial, the executive, and the legislative, and I understand from the remarks you have just made, he evidently is getting his nose under the tent in a legislative matter."

Senator Hayner: "Senator Bottiger and I went down to the Governor's office, and it was his view that he had the authority to call us for ten days and he was extending it for seven days. I am not sure I agree with that but that was his viewpoint."

REMARKS BY SENATOR BOTTIGER

Senator Bottiger: "Mr. President, members of the Senate. I think, in just talking to people in the legislature, both the House and the Senate, I think it is almost unanimous that the Governor does not have the authority to limit the 30-day special session. My concern about even reading the proclamation in would be an implication that we recognize the item (1), ten days; and item (2), the 7-day extension."

"I think most of us understand we are here for up to thirty days and we ought to get out of here as quick as we can."

REMARKS BY SENATOR CLARKE

Senator Clarke: "Mr. President, we acceded to your request that we do not read it in and I would agree with the remarks that have been made that there is a very serious legal question. However, it seems to me that the legal question insofar as action we may take on bills between the expiration of the 10-day period and the time within which we may see fit to adjourn, has been removed because those who would support the posture that the Governor had a right to limit to 10 days, couldn't very well say that if he has the right to limit, he could not also have the right to extend."

"So my own personal reaction is that the action on the part of the Governor, is, in reality, an acquiescence to the fact that he does not have authority to so limit us, and I think that, from a practical matter, he has removed the possible legal question as to the effectiveness of enactments which we might make between the expiration of the original 10-day period and the period when we adjourn sine die, because he was the one who set the original 10-day period. If it had any efficacy by virtue of that, he has now removed that by having extended it."

"So I support the posture that it is entirely within the prerogative of the legislature to determine when we adjourn sine die and I think the legal problem has pretty well now been removed by the Governor's action."

REMARKS BY SENATOR TALMADGE

Senator Talmadge: "Thank you, Mr. President. I stand by the analysis that I had of the Constitutional amendment that is in the record, on a point of personal privilege. It seems pretty clear that the Governor is now waffling on the length of the special session even; it is kind of ironic."

REMARKS BY SENATOR FLEMING

Senator Fleming: "Mr. President, notwithstanding the exchange of information we have had here on the floor, I would assume by the fact that Senator Hayner made a pronouncement that this item is on the desk, she was merely adhering to one of the rules of the Senate that information such as this not be passed out on the desks of the Senators without a Senator's name on it so she was notifying us that she is the one that is passing this around."

MOTION

At 9:03 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 9:10 p.m.

SECOND READING

HOUSE BILL NO. 796, by House Committee on Labor and Economic Development and Representative Sanders (by Department of Labor and Industries request):

Establishing user fees to allow department of labor and industries to defray the cost of administering the prevailing wage law and the minor work permit law.

The Senate resumed consideration of House Bill No. 796.

Earlier today, the committee amendments had been adopted and an amendment by Senators Newhouse and Hurley had been moved for adoption. A Point of Order had been raised by Senator Vognild on the amendment.

RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the Point of Order raised by Senator Vognild, the President finds that House Bill No. 796 is a measure which deals with the state apprenticeship program administered by the department of labor and industries for the singular purpose of allowing the department to impose user fees in order to help finance the program.

"The amendment proposed by Senators Newhouse and Hurley makes major changes regarding the functioning of the apprenticeship program, including the method for approving apprenticeship committees and programs.

"The President therefore finds that the proposed amendment does expand the scope and object of the bill and that the Point of Order is well taken."

The amendment by Senators Newhouse and Hurley was ruled out of order.

MOTION

At 9:12 p.m., Senator Clarke moved the Senate adjourn.

MOTION

On motion of Senator Clarke, the Senate returned to the fourth order of business.

MESSAGES FROM THE HOUSE

March 20, 1982.

Mr. President: The Speaker has signed: SUBSTITUTE SENATE BILL NO. 4201, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

March 21, 1982.

Mr. President: The Speaker has signed: SENATE BILL NO. 3394, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

March 20, 1982.

Mr. President: The Speaker has signed: HOUSE BILL NO. 1084, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: HOUSE BILL NO. 1084.

The motion by Senator Clarke carried and at 9:15 p.m., the Senate adjourned until 1:00 p.m., Monday, March 22, 1982.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate

ELEVENTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia, Monday, March 22, 1982.

The Senate was called the 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 Hayner, Pullen and Talley. On motion of Senator Ridder, Senator Talley was excused.

The Color Guard, consisting of Pages Andrew Winden and Jodi Ulery, presented the Colors. Reverend Wallace F. Misterek, pastor of Trinity Lutheran Church of Olympia, offered the prayer.

MOTION

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

REPORT OF STANDING COMMITTEE

March 22, 1982.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1217, modifying provisions on joint operating agencies (reported by Committee on Energy and Utilities):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gould, Chairman; McCaslin, Vice Chairman; Fuller, Hemstad, Newhouse, Wilson.

Passed to Committee on Rules for second reading.

MESSAGES FROM THE HOUSE

March 21, 1982.

Mr. President: The Speaker has signed: HOUSE CONCURRENT RESOLUTION NO. 37, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

March 21, 1982.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 765,

SUBSTITUTE HOUSE BILL NO. 840,

HOUSE BILL NO. 854, and the same are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

At 1:07 p.m., on motion of Senator Clarke, the Senate was declared to be at ease for purpose of a meeting of the Committee on Rules.

The President called the Senate to order at 1:18 p.m.

MOTION

At 1:19 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 3:06 p.m.

MOTION

On motion of Senator Scott, Senator Hayner was excused.

PERSONAL PRIVILEGE

Senator Fleming: "Mr. President and members of the Senate. I thought it might be appropriate at this point in time to give a status report on Senator Talley. I talked to him last night and he was doing very well; sounded very cheerful and well on his way back to a speedy recovery. So I just thought the members would like to know he is doing fine."

MOTION

On motion of Senator Clarke, the Senate advanced to the seventh order of business.

THIRD READING

ENGROSSED SENATE BILL NO. 3310, by Senators Gould, Williams and Fuller:

Confirming rules adopted as standards for energy use in buildings.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 3310.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 3310 and the bill passed the Senate by the following vote: Yeas, 41; nays, 4; absent or not voting, 2; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Ridder, Scott, Shipoch, Talmadge, Vognild, von Reichbauer, Williams, Wojahn, Woody—41.

Voting nay: Senators Rasmussen, Sellar, Wilson, Zimmerman—4.

Absent or not voting: Senators Deccio, Pullen—2.

Excused: Senators Hayner, Talley—2.

ENGROSSED SENATE BILL NO. 3310, having received the 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 SENATE BILL NO. 4616, by Senators Gould, Moore, Hemstad and Williams:

Requiring inverted electric rate structure.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 4616.

POINT OF INQUIRY

Senator Rasmussen: "Senator Gould, in the background here it mentions, 'Utility forecasts predict a possibility of power shortages in the future. One of the

ways to avoid shortages is to lower the future rate of increase and consumption.' My question is this: do you agree with that statement now, and that's a pretty old statement in view of the fact that most of the cost of nuclear plants is in construction; operation costs are very nominal compared with construction costs.

"We are faced with three plants that all of them will be completed, construction costs are the same, skyrocketing. We are going to have to sell that power in order to pay off the bonds. We are going to raise the dams in eastern Washington. We are going to have a surplus of power now rather than a shortage. All the predictions are, by King Lysen and the experts that made the study of the nuclear plants, is that we will not need these plants Four and Five maybe never, but at least not before the year 2000.

"So what would be the need of inverted rates? You may be discouraging the use of electricity when you do want to sell it. We had that experience with natural gas and they said the operating costs went up when people cut the use. We had the same thing with our water system, had to have to move the rates up because the construction costs, you people were conserving water.

"The same thing may happen here to electricity. What do you have to say to that? And I know you've studied it."

Senator Gould: "Senator Rasmussen, I am not sure what the question was after all of that, but I think what you are asking is, will we have a shortage of electricity and are the forecasts accurate?"

"One of the recommendations as I mentioned in the Hinman report is that we make all conservation possible because that is the cheapest form of electricity we can have.

"Yes, you are right. The independent review does indicate that the power from Four and Five probably will not be needed even under normal circumstances until the mid-1990s and, under even more strong conservation measures until the late 1990s.

The point is, the more we use, the more that does have to be replaced, because we are out of hydro; and we will be out of hydro. And the more we have to build, whether it's Four and Five or whether it's Creston or whether it's renewable, the more it's going to cost. And in any event, it's cheaper to have conservation, that's a cheaper form of electricity."

Senator Rasmussen: "My question, Senator Gould, was, we have the cost. We are going to have to encourage use of electricity in order to absorb the cost of our nuclear plants. So we are going to have to pay for them, whether generating electricity or not; and that's my direct question. Conservation will make the need for these plants less and less, because hydro is cheaper. Shouldn't we be encouraging the use of electricity until we get the plants paid for?"

Senator Gould: "Senator Rasmussen, the plants, even if we, well, as we are terminating them now, Dr. Hinman in his recommendation states it would be cheaper in 1990 when we need that, if and when we need the electricity then, to continue from there, yes; but the plant, to continue now would be exorbitant. Still we will get cheaper electricity out of conservation than we do by continuing those plants at this time.

"I don't know how much more"

REMARKS BY SENATOR WILLIAMS

Senator Williams: "Mr. President and members. Also speaking in favor of the bill, but perhaps also trying to answer the question that Senator Rasmussen just raised. To continue to encourage the use of electricity, I think is one of the reasons why we are in the problem we are in today. In other words, in the past, there was a concentrated effort to encourage use of electricity to create and build these new plants and so forth, to answer that continuing demand. And there was a straight line

kind of acceleration of projection of the need for electricity which was the reason we ended up starting to build all these plants.

"And I think, in essence, that's why we have the problem we have today is because we falsely encouraged just an abundant use of electricity without understanding the end result. If we continue to, even to justify paying for the plants today, I think to encourage the use of electricity without being mindful of a prudent use of it and being efficient and conserving and so forth, is really the wrong way to go. We are just going to continue in the same path we have gone before.

"It makes eminently good sense to have an incentive built in to a rate structure which says if you use so much power, you pay a certain base rate; if you use more, you are going to pay more. It just makes good sense, and the world today in terms of the shortage of energy, in an overall sense, would encourage us to be more prudent, more careful, less wasteful and I think that is a basic standard that we should abide in, in a lot of our ways, and not just in energy. So I encourage the passage of this bill."

Further debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4616, and the bill passed the Senate by the following vote: Yeas, 28; nays, 18; absent or not voting, 1; excused, 2.

Voting yea: Senators Bluechel, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Gould, Guess, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McDermott, Metcalf, Moore, Peterson, Ridder, Scott, Shinpoch, Talmadge, Vognild, Williams, Wojahn, Woody—28.

Voting nay: Senators Bauer, Benitz, Clarke, Craswell, Deccio, Fuller, Gallagher, Haley, Hansen, McCaslin, Newhouse, Patterson, Quigg, Rasmussen, Sellar, von Reichbauer, Wilson, Zimmerman—18.

Absent or not voting: Senator Pullen—1.

Excused: Senators Hayner, Talley—2.

ENGROSSED SENATE BILL NO. 4616, having received the 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

SECOND SUBSTITUTE SENATE BILL NO. 3033, by Committee on Energy and Utilities (originally sponsored by Senators Goltz, Williams and Ridder): Authorizing municipal corporation heating systems.

MOTIONS

On motion of Senator Gould, the rules were suspended, Engrossed Substitute Senate Bill No. 3033 was returned to second reading.

Senator Gould moved adoption of the following amendment by Senators Gould and Goltz:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Section 1. Counties, cities, towns, irrigation districts which distribute electricity, and port districts are authorized pursuant to this chapter to establish heating systems and provide heating services from heat sources including, but not limited to, geothermal heat, steam or water heated by a biomass energy system, waste heat, and energy from a cogeneration facility.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Biomass energy system" means a system that provides for the production or collection of organic materials that are primarily waste materials and the conversion or use of that material for the production of energy or substitute fuels. Biomass conversion can be achieved by several processes including, but not limited to, burning, pyrolysis, distillation, or anaerobic digestion.

(2) "Cogeneration" means the sequential generation of two or more forms of energy from a common fuel or energy source.

(3) "Cogeneration facility" means any machinery, equipment, structure, process, or property or any part thereof, installed or acquired for the primary purpose of cogeneration by a person or corporation.

(4) "Geothermal heat" means the natural heat of the earth and the medium by which such heat is extracted from the earth, including liquids or gases, as well as any minerals contained in any natural or injected fluids, brines and associated gas, but excluding oil, hydrocarbon gas, and other hydrocarbon substances.

(5) "Waste heat" means the heat released to the environment from an industrial process, electric generation, or other process.

(6) "Heat" or "heating services" means space or process heating and cooling, and hot water.

(7) "Heat source" includes but is not limited to any integral part or process of an industrial facility, cogeneration facility, electric power generation facility, geothermal well or spring, biomass energy system, solar collection facility, or energy extraction process.

(8) "Municipality" means a county, city, town, port district, or irrigation district which distributes electricity.

(9) "Heating facilities" means all real and personal property, or interests therein, necessary or useful for: (a) The acquisition, production, or extraction of heat; (b) the storage of heat; (c) the distribution of heat from its source to the place of utilization; (d) the extraction of heat at the place of utilization from the medium by which the heat is distributed; (e) the distribution of heat at the place of utilization; and (f) the conservation of heat.

NEW SECTION. Sec. 3. A municipality may construct, purchase, acquire, add to, extend, maintain, and operate a system of heating facilities, within or without its limits, for the purpose of supplying its inhabitants and other persons with heat, with full power to regulate and control the use, distribution, and price thereof, and to enter into agreements for the maintenance and operation of heating facilities under such terms and conditions as may be determined by the legislative authority of the municipality. The provision of heat and heating facilities and the establishment and operation of heating systems by a municipality pursuant to this chapter are hereby declared to be a public use and a public and strictly municipal purpose. However, nothing in this chapter shall be construed so as to restrain or limit the authority of any individual, partnership, corporation, or private utility from establishing and operating heating systems.

NEW SECTION. Sec. 4. In addition to the general powers provided in section 3 of this act, and not by way of limitation, municipalities have the following specific powers:

(1) The usual powers of a corporation, to be exercised for public purposes;

(2) To acquire by purchase, gift, or condemnation property or interests in property within and without the municipality, necessary for the construction and operation of heating systems, including additions and extensions thereof. No municipality may acquire by condemnation any heat source. To the extent judged economically feasible by the municipality, public property and rights of way shall be utilized in lieu of private property acquired by condemnation. The municipality shall determine in cooperation with existing users that addition of district heating facilities to any public property or rights of way shall not be a hazard or interference with

existing uses or, if so, that the cost for any relocation of facilities of existing users shall be a cost and expense of installing the heating facility;

(3) To acquire, install, add to, maintain, and operate heating facilities at a heat source or to serve particular consumers of heat, whether such facilities are located on property owned by the municipality, by the consumer of heat, or otherwise;

(4) To sell, lease, or otherwise dispose of heating facilities;

(5) To contract for the operation of heating facilities;

(6) To apply and qualify for and receive any private or federal grants, loans, or other funds available for carrying out the objects of the municipality;

(7) Full and exclusive authority to sell and regulate and control the use, distribution, rates, service, charges, and price of all heat supplied by the municipality, free from the jurisdiction and control of the utilities and transportation commission, in all things;

(8) To utilize fuels other than the heat sources described in section 1 of this act on a standby basis, to meet start up and emergency requirements, to meet peak demands, or to supplement such heat sources as necessary to provide a reliable and economically feasible supply of heat;

(9) To the extent permitted by the state Constitution, to make loans for the purpose of enabling suppliers or consumers of heat to finance heating facilities;

(10) To enter into cooperative agreements providing for the acquisition, construction, ownership, financing, use, control, and regulation of heating systems and heating facilities by more than one municipality or by one or more municipalities on behalf of other municipalities;

(11) Notwithstanding any other provision of this chapter, no municipality shall issue general obligation bonds to finance such heating systems without a vote of the people.

NEW SECTION. Sec. 5. If the legislative authority of a municipality deems it advisable that the municipality purchase, acquire, or construct a heating system, or make any additions or extensions thereof, the legislative authority shall provide therefor by ordinance or resolution, which shall specify and adopt the system or plan proposed, declare the estimated cost thereof, as near as may be, and specify the method of financing and source of funds: **PROVIDED**, That any construction alteration or improvement of a heating system by any county, city, town, irrigation district, or port district shall be in compliance with the competitive bidding requirements in Titles 35, 36, 53, and 87 RCW.

NEW SECTION. Sec. 6. A municipality may impose rates, charges, or rentals for heat, service, and facilities provided to customers of the system, provided that the rates charged are uniform for the same class of customers or service. In classifying customers served or service furnished, the legislative authority may in its discretion consider all of the following factors: The difference in cost of service to the various customers; location of the various customers within or without the municipality; the difference in cost of maintenance, operation, repair, and replacement of the various parts of the system; the different character of the service furnished various customers; the quantity and quality of the heat furnished; the time of its use; the demand on the system; capital contributions made to the system including, but not limited to, assessments or the amount of capital facilities provided for use by the customer; and any other matters which present a reasonable difference as a ground for distinction.

NEW SECTION. Sec. 7. If prompt payment of a heating rate, charge, or rental is not made, a municipality may shut off the heating supply to the building, place, or premises to which the municipality supplied the heating. A municipality may also make an additional charge for late payment.

NEW SECTION. Sec. 8. A municipality may charge property owners seeking to connect to the heating system, as a condition to granting the right to so connect,

in addition to the cost of such connection, such reasonable connection charge as the legislative authority determines to be proper in order that the property owners bear their pro rata share of the cost of the system: PROVIDED, That no potential customer may be compelled to subscribe or connect to the heating system. The cost of connection to the system shall include the cost of acquisition and installation of heating facilities necessary or useful for the connection, including any heating facilities located or installed on the property being served. Connection charges may, in the discretion of the municipality, be made payable in installments over a period of not more than thirty years or the estimated life of the facilities installed, whichever is less. Installments, if any, shall bear interest and penalties at such rates and be payable at such times and in such manner as the legislative authority of the municipality may provide.

NEW SECTION. Sec. 9. For the purpose of paying all or a portion of the cost of heating facilities, a municipality may form local improvement districts or utility local improvement districts, levy, collect, and foreclosure assessments, reassessments, and supplemental assessments; and issue local improvement district bonds and warrants in the manner provided by law for cities of the first class. In addition, municipalities may provide by ordinance that assessments will be deposited in a fund created for the payment of voted general obligation bonds and, to the extent that assessments are so deposited, taxes for the payment of such general obligation bonds shall not be levied.

NEW SECTION. Sec. 10. For the purpose of providing funds for defraying all or a portion of the costs of planning, purchase, leasing, condemnation, or other acquisition, construction, reconstruction, development, improvement, extension, repair, maintenance, or operation of a heating system, and the implementation of the powers set forth in sections 3 and 4 of this act, a municipality may authorize, by ordinance or resolution, the creation of a special fund or funds into which the municipality shall be obligated to set aside and pay all or any designated proportion or amount of any or all revenues derived from the heating system, including any utility local improvement district assessments, any grants received to pay the cost of the heating system, and any municipal license fees specified in the ordinance or resolution creating such special fund.

NEW SECTION. Sec. 11. If the legislative authority of a municipality deems it advisable to finance all or a portion of the costs of planning, purchase, leasing, condemnation, or other acquisition, construction, reconstruction, development, improvement, and extension of a heating system, or for the implementation of the powers set forth in sections 3 and 4 of this act, or for working capital, interest during construction and for a period of up to one year thereafter, debt service and other reserves, and the costs of issuing revenue obligations, a municipality may issue revenue bonds against the special fund or fund created from revenues or assessments. The revenue bonds so issued may be issued in one or more series and shall be dated, shall bear interest at such rate or rates, and shall mature at such time or times as may be determined by the legislative authority of the municipality, and may be made redeemable before maturity at such price or prices and under such terms and conditions as may be fixed by the legislative authority of the municipality prior to the issuance of the bonds. The legislative authority of the municipality shall determine the form of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest. If an officer whose signature or a facsimile of whose signature appears on any bonds or coupons ceases to be such officer before the delivery of the bonds, the signature shall for all purposes have the same effect as if the officer had remained in office until the delivery. The bonds may be issued in coupon or in registered form or both, and provisions may be made for the registration of any coupon bonds as to the principal alone and also as to both principal and

interest and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. Bonds may be sold at public or private sale for such price and bearing interest at such fixed or variable rate as may be determined by the legislative authority of the municipality.

The principal of and interest on any revenue bonds shall be secured by a pledge of the revenues and receipts derived from the heating system, including any amounts pledged to be paid into a special fund in accordance with section 10 of this act, and may be secured by a mortgage covering all or any part of the system, including any enlargements of and additions to such system thereafter made. The revenue bonds shall state upon their face that they are payable from a special fund, naming it and the ordinance creating it, and that they do not constitute a general indebtedness of the municipality. The ordinance or resolution under which the bonds are authorized to be issued and any such mortgage may contain agreements and provisions respecting the maintenance of the system, the fixing and collection of rates and charges, the creation and maintenance of special funds from such revenues, the rights and remedies available in the event of default, and other matters improving the marketability of the revenue bonds, all as the legislative authority of the municipality deems advisable. Any revenue bonds issued under this chapter may be secured by a trust agreement by and between the municipality and a corporate trustee, which may be any trust company or bank having the powers of a trust company within the state. Any such trust agreement or ordinance or resolution providing for the issuance of such bonds may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law. Any such trust agreement may set forth the rights and remedies of the bondholders and of the trustee and may restrict the individual right of action by bondholders as is customary in trust agreements or trust indentures.

NEW SECTION. Sec. 12. Revenue warrants may be issued and such warrants and interest thereon may be payable out of the special fund or refunded through the proceeds of the sale of refunding revenue warrants or revenue bonds. Every revenue warrant and the interest thereon issued against the special fund is a valid claim of the holder thereof only as against that fund and the amount of revenue pledged to the fund, and does not constitute an indebtedness of the authorized municipality. Every revenue warrant shall state on its face that it is payable from a special fund, naming it and the ordinance or resolution creating it.

NEW SECTION. Sec. 13. If a municipality fails to set aside and pay into the special fund created for the payment of revenue bonds and warrants the amount which it has obligated itself in the ordinance or resolution creating the fund to set aside and pay therein, the holder of any bond or warrant issued against the bond may bring suit against the municipality to compel it to do so.

NEW SECTION. Sec. 14. Sections 1 through 13 of this act shall constitute a new chapter in Title 35 RCW.

NEW SECTION. Sec. 15. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

POINT OF INQUIRY

Senator Newhouse: "Senator Gould, as I read section 1, 'said counties, cities, towns, irrigation districts which distribute electricity.' Do you mean by this language then that any county or city or town which gets involved in this project, must also distribute electricity?"

Senator Gould: "Doesn't mean they have to, it is only the ones that do that confines it to those districts that do."

Senator Newhouse: "I am not sure; for instance"

REMARKS BY SENATOR GOLTZ

Senator Goltz: "The wording has been reworded to avoid that particular problem by adding after 'irrigation districts which distribute electricity,' we now add 'port districts.' In other words, we insert 'irrigation districts which distribute electricity' into a place where each one of these stands independently.

"So if this is for the record, the record should show that counties do not have to distribute electricity; cities do not have to; towns do not have to; only irrigation districts have to if they want to be a municipality in this sense."

The motion by Senator Gould carried and the amendment was adopted.

On motion of Senator Gould, the rules were suspended, Engrossed Second Substitute Senate Bill No. 3033, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Newhouse: "I would like to ask Senator Goltz to describe to us the House amendments that have been incorporated. This is an awful lot of amendments to throw at us in one minute without even having them distributed by the time we are talking about it."

Senator Goltz: "Mr. President, there are six amendments which we have incorporated into this striking amendment from the House. There is one that says, on page 5, it was on page 5, 17 of the original bill, that we will provide 'That no potential customer may be compelled to subscribe to or connect to the heating system.' I think that one is easy to understand.

"On page 5, line 16 of the original bill we used the word 'pro rata' instead of 'equitable' to better describe the share that people would pay for the system.

"On page 4, line 23 of the original bill, we have provided 'That any construction, alteration, or improvement . . . be done . . . in compliance with . . . the . . . bidding requirements in titles 35, . . . 36, 53, and 87.' In other words, we are reaffirming, as Senator Gould said, that the bidding procedures for the various municipal governments would have to be complied with.

"On page 2, line 9 there is a new definition of a heat source, and if you look in the striking amendment this is the subsection (7) where the heat source in the definition section is described. It is a little more inclusive or limiting, I should say, than we had before.

"And finally there are two amendments on page 1, the one that reinserts 'irrigation districts which distribute electricity' into a different location and we changed the spelling of 'anerobic digestion.'"

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 3033 and the bill passed the Senate by the following vote: Yeas, 36; nays, 10; absent or not voting, 1; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Conner, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Peterson, Quigg, Ridder, Scott, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—36.

Voting nay: Senators Clarke, Craswell, Deccio, Guess, Newhouse, Patterson, Rasmussen, Sellar, von Reichbauer, Zimmerman—10.

Absent or not voting: Senator Pullen—1.

Excused: Senators Hayner, Talley—2.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3033, having received the 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 SECOND SUBSTITUTE SENATE JOINT RESOLUTION NO. 111, by Committee on Energy and Utilities (originally sponsored by Senators Williams, Fuller, McCaslin and Bauer):

Authorizing loans for energy conservation and renewable energy resources.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Second Substitute Senate Joint Resolution No. 111.

POINT OF INQUIRY

Senator Rasmussen: "Senator Williams, is it the intent, granting this power for the public utilities, that they be allowed to loan this money to take the insulation out of the homes that they scared the people into putting in the homes? I understand it is quite an expensive job to take this formaldehyde insulation, urea insulation out of the home. Will they be able to loan the money to these people at no interest, or lowered rates?"

Senator Williams: "Senator Rasmussen, this particular measure does not deal with residential whatsoever; so this bill would not affect that particular program at all. This only deals with conservation loans for industrial and commercial customers."

Senator Rasmussen: "Do we have anything in the mill to help these people?"

Senator Williams: "No, not that I am aware of."

Senator Rasmussen: "That's a tragedy."

REMARKS BY SENATOR BOTTIGER

Senator Bottiger: "Well, Mr. President, members of the Senate. Senator Rasmussen, the tragedy you were referring to, probably 99% was done by a private company not the public company. It was the natural gas company that installed the formaldehyde insulation program and not the PUDs or City Light."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Joint Resolution No. 111 and the resolution passed the Senate by the following vote: Yeas, 33; nays, 13; absent or not voting, 1; excused, 2.

Voting yea: Senators Bauer, Bluechel, Bottiger, Charnley, Conner, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Haley, Hansen, Hemstad, Hughes, Jones, Kiskaddon, Lee, Lysen, McDermott, Moore, Peterson, Quigg, Ridder, Scott, Sellar, Talmadge, Vognil, Williams, Wilson, Wojahn, Woody, Zimmerman—33.

Voting nay: Senators Benitz, Clarke, Craswell, Deccio, Guess, Hurley, McCaslin, Metcalf, Newhouse, Patterson, Rasmussen, Shinpoch, von Reichbauer—13.

Absent or not voting: Senator Pullen—1.

Excused: Senators Hayner, Talley—2.

ENGROSSED SECOND SUBSTITUTE SENATE JOINT RESOLUTION NO. 111, having received the constitutional two-thirds majority, was declared passed.

MOTION

On motion of Senator Clarke, the Senate returned to the sixth order of business.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 145, by Senators Gould, McCaslin, Williams, Fuller, Woody, Quigg, Moore, Wilson, Hurley, Newhouse and Hemstad:

Providing for monitoring WPPSS by a legislative subcommittee.

The resolution was read the second time in full.

On motion of Senator Gould, the rules were suspended, Senate Concurrent Resolution No. 145 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

POINT OF INQUIRY

Senator Lysen: "Senator Gould, is there an advantage to making a smaller committee which the Senate energy committee has the jurisdiction to do these same things, anyway? And we have had an active committee since the WPPSS inquiry, or somewhat active, anyway. What is the advantage of constricting this? The effect of this is to actually eliminate the participation of a number of other Senators who may like to participate in this who have been participating in the past. That is my concern. I think it actually does the opposite of what you may be aspiring to do here."

Senator Gould: "Senator Lysen, there are about three things I think I could respond to. First of all, using a subcommittee as opposed to the Senate energy committee maintains the bipartisan balance of the committee rather than one that is dominated by the majority party.

"Secondly, it includes the House, and certainly the House wants and needs to be up to date on all the issues just as the Senate is, and I think getting the same information for both Houses is very important.

"Thirdly, I have never seen any time which any member of the Senate or the House has been excluded from this committee; and I think you can attest to that completely as far as participating, asking questions, and the opportunity to make comments.

"And we would not want to keep any Senator from doing this.

"This is a smaller group, it would be, frankly, less expensive to have a smaller organization meet and I think it serves the purpose."

ROLL CALL

The Secretary called the roll on the final passage of Senate Concurrent Resolution No. 145 and the resolution passed the Senate by the following vote: Yeas, 39; nays, 6; absent or not voting, 2; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, Newhouse, Peterson, Quigg, Rasmussen, Ridder, Scott, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—39.

Voting nay: Senators Lysen, Metcalf, Moore, Patterson, Sellar, Shinpoch—6.

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

Excused: Senators Hayner, Talley—2.

SENATE CONCURRENT RESOLUTION NO. 145, having received the constitutional majority, was declared passed.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1053, by House Committee on Energy and Utilities (originally sponsored by Committee on Energy and Utilities and Representative Barnes):

Modifying requirements on procurement of materials, equipment, supplies, and work by joint operating agencies contracting, improving, or operating electrical facilities.

REPORT OF STANDING COMMITTEE

March 19, 1982.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1053, modifying requirements on the procurement of materials, equipment, supplies, and work by joint operating agencies contracting, improving, or operating electrical facilities (reported by Committee on Energy and Utilities):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 26, strike all of subsection (3) and renumber the subsection following consecutively.

On page 2, following line 35, insert a new section as follows:

"NEW SECTION. Sec. 4. When a joint operating agency constructing or operating a nuclear generating project determines in writing that it is impracticable to draft an invitation for bids with definitive specifications or any other adequately detailed description of required materials, equipment, or supplies sufficient to determine whether a competitive sealed bid is responsive, execution of a contract shall follow the procedure required in this section.

(1) Proposals shall be solicited through a request for proposals, which shall state the requirements to be met, and responses shall describe professional competence of the offeror, the technical merits of the offer, and the price.

(2) The request for proposals shall be sent to all bidders prequalified under section 5 of this act and shall be given adequate public notice in the same manner as for sealed bids under RCW 54.04.070.

(3) As provided in the request for proposals, the operating agency shall specify at a preproposal conference the contract requirements in the request for proposal, which may include but are not limited to: Schedule, managerial and staffing requirements, productivity and production levels, approved project quality assurance procedures, and time and place for submission of proposals. Any inquiries and responses thereto shall be confirmed in writing and shall be sent to all potential offerors.

(4) Proposals shall be opened so as to avoid disclosure of contents to competing offerors during the process of negotiation. A register of proposals shall be open for public inspection after contract award.

(5) As provided in the request for proposals, invitations shall be sent to all responsible offerors who submit proposals to attend discussions for the purpose of clarification to assure full understanding of, and responsiveness to, the solicitation requirements. Any inquiries and responses thereto shall be confirmed in writing and shall be sent to all offerors. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals, and such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussions, there shall be no disclosure of any information derived from proposals submitted by competing offerors.

(6) The operating agency shall execute a contract with the responsible offeror whose proposal is determined in writing to be the most advantageous to the operating agency taking into consideration the requirements set forth in the request for proposals. The contract file shall contain the basis on which the successful offeror is

selected. The operating agency shall conduct a briefing conference on the selection if requested by an offeror.

(7) The contract may be fixed price or cost-reimbursable, in whole or in part, but not cost-plus-percentage-of-cost: PROVIDED, That if it is cost-reimbursable, it shall meet the requirements of RCW 43.52.505."

Renumber the sections following consecutively, and correct internal references accordingly.

On page 4, line 33, beginning with "proposers." strike the remainder of subsection (2) and insert "offerors."

During the prequotation conference, the operating agency shall define in writing the roles, responsibilities, and obligations of persons under the contract and all persons under defaulted, terminated, or consolidated contracts.

(3) After quotations are received by the operating agency, invitations shall be sent to all responsible offerors who submit quotations to attend discussions for the purpose of clarification to assure full understanding of, and responsiveness to, the requirements of the operating agency. Any inquiries and responses thereto shall be confirmed in writing and shall be sent to all offerors. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of quotations, and such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussions there shall be no disclosure of any information derived from quotations submitted by competing offerors.

(4) The operating agency shall execute a contract with the responsible offeror whose quotation is determined in writing to be the most advantageous to the operating agency. The contract file shall contain the basis on which the successful offeror is selected. The operating agency shall conduct a briefing conference on the selection if requested by an offeror.

(5) The contract may be fixed price or cost-reimbursable, in whole or in part, but not cost-plus-percentage-of-cost: PROVIDED, That if it is cost-reimbursable, it shall meet the requirements of RCW 43.52.505."

Renumber the subsection following consecutively.

On page 3, line 25, strike "capability" and insert "ability"

On page 5, line 17, after "to the" insert "senate and house committees on energy and utilities and the"

On page 5, line 11, after "work" insert "for construction of generating projects and associated facilities"

On page 5, line 12, after "tax," insert "by contract"

On page 4, line 27 strike "4" and insert "5"

On page 5, line 25 strike "6" and insert "7"

On page 5, line 30 strike "7" and insert "8"

Signed by: Senators Gould, Chairman; McCaslin, Vice Chairman; Fuller, Hemstad, Moore, Newhouse, Woody.

The bill was read the second time by sections.

On motion of Senator Gould, the committee amendments were adopted.

On motion of Senator Gould, the rules were suspended, Engrossed Substitute House Bill No. 1053, 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. 1053, as amended by the Senate, and the bill failed to pass the Senate by the following vote: Yeas, 21; nays, 26; excused, 2.

Voting yea: Senators Benitz, Bluechel, Bottiger, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Moore, Newhouse, Pullen, Scott, Sellar—21.

Voting nay: Senators Bauer, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, McDermott, Metcalf, Patterson, Peterson, Quigg, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—26.

Excused: Senators Hayner, Talley—2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1053, as amended by the Senate, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Zimmerman served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Substitute House Bill No. 1053, as amended by the Senate, failed to pass.

MOTION FOR RECONSIDERATION

Senator Moore moved the Senate immediately reconsider the vote by which Engrossed Substitute House Bill No. 1053, as amended by the Senate, failed to pass.

The President advised Senator Moore that he had not voted on the prevailing side and therefore would be unable to move for reconsideration.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Williams moved the Senate immediately reconsider the vote by which Engrossed Substitute House Bill No. 1053, as amended by the Senate, failed to pass.

MOTION

Senator Clarke moved the motion by Senator Williams be laid upon the table. Senator Williams demanded a roll call and the demand was sustained.

PARLIAMENTARY INQUIRY

Senator Clarke: "As I understand it, Senator Zimmerman gave notice of reconsideration. Senator Moore, then, notice having been given, as I understand it, anyone then who was on the prevailing side may make motion for consideration.

"Do I understand that Senator Moore, then, made a motion for immediate consideration? That is my understanding.

"Now if that motion is tabled, what is the effect of a vote on the motion to table that particular motion? Would it still keep alive the right on the next preceding day for another Senator to move to reconsider?"

REPLY BY THE PRESIDENT

President Cherberg: "The motion to reconsider would be in order."

POINT OF ORDER

Senator Lysen: "Is it not the motion to reconsider of higher priority than the motion to lay on the table? The higher rank?"

REPLY BY THE PRESIDENT

President Cherberg: "Yes, the second highest motion there is but the motion to lay on the table is in order."

The President declared the question before the Senate to be the roll call on the motion by Senator Clarke that the motion for immediate reconsideration of Engrossed Substitute House Bill No. 1053, as amended by the Senate, on failure to pass be laid upon the table.

ROLL CALL

The Secretary called the roll and the motion carried by the following vote: Yeas, 25; nays, 22; excused, 2.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Wilson, Zimmerman—25.

Voting nay: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wojahn, Woody—22.

Excused: Senators Hayner, Talley—2.

The motion by Senator Williams was laid upon the table.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1156, by House Committee on Local Government (originally sponsored by House Committee on Local Government and Representatives Isaacson and Nelson (G.)):

Permitting establishment of cultural arts, stadium, and convention districts.

The Senate resumed consideration of Substitute House Bill No. 1156. On March 21, 1982, on motion of Senator Gould, the rules were suspended, the bill was returned to second reading and held for consideration at a later time.

Senator Zimmerman moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. PURPOSE. The legislature finds that expansion of a cultural tourism would attract new visitors to our state and aid the development of a nonpolluting industry. The creation or renovation, and operation of cultural arts, stadium and convention facilities benefiting all the citizens of this state would enhance the recreational industry's ability to attract such new visitors. The additional income and employment resulting therefrom would strengthen the economic base of the state.

It is declared that the construction, modification, renovation, and operation of facilities for cultural arts, stadium and convention uses will enhance the progress and economic growth of this state. The continued growth and development of this recreational industry provides for the general welfare and is an appropriate matter of concern to the people of the state of Washington.

NEW SECTION. Sec. 2. DEFINITIONS. Unless the context clearly indicates otherwise, for the purposes of this chapter the following definitions shall apply:

(1) "Cultural arts, stadium and convention district," or "district," means a quasi municipal corporation of the state of Washington created pursuant to this chapter.

(2) "Component city" means an incorporated city within a public cultural arts, stadium and convention benefit area.

(3) "City" means any city or town.

(4) "City council" means the legislative body of any city.

(5) "Municipality" means a port district, public school district or community college district.

NEW SECTION. Sec. 3. CULTURAL ARTS, STADIUM AND CONVENTION DISTRICT—CREATION. (1) The process to create a cultural arts, stadium and convention district may be initiated by:

(a) The adoption of a resolution by the county legislative authority calling for a public hearing on the proposed creation of such a district and delineating proposed boundaries of the district; or

(b) The governing bodies of two or more cities located within the same county adopting resolutions calling for a public hearing on the proposed creation of such a district and delineating proposed boundaries of such a district: **PROVIDED**, That this method may not be used more frequently than once in any twelve month period in the same county; or

(c) The filing of a petition with the county legislative authority, calling for a public hearing on the proposed creation of such a district and delineating proposed boundaries of the district, that is signed by at least ten percent of the registered voters residing in the proposed district at the last general election.

(2) Within sixty days of the adoption of such resolutions, or presentation of such a petition, the county legislative authority shall hold a public hearing on the proposed creation of such a district. Notice of the hearing shall be published at least once a week for three consecutive weeks in one or more newspapers of general circulation within the proposed boundaries of the district. The notice shall include a general description and map of the proposed boundaries. Additional notice shall also be mailed to the governing body of each city and municipality located all or partially within the proposed district. At such hearing, or any continuation thereof, any interested party may appear and be heard on the formation of the proposed district.

The county legislative authority shall delete the area included within the boundaries of a city from the proposed district if prior to the public hearing the city submits to the county legislative authority a copy of an adopted resolution requesting its deletion from the proposed district. The county legislative authority may delete any other areas from the proposed boundaries. Additional territory may be included within the proposed boundaries, but only if such inclusion is subject to a subsequent hearing, with notice provided in the same manner as for the original hearing.

(3) A proposition to create a cultural arts, stadium and convention district shall be submitted to the voters of the proposed district within two years of the adoption of a resolution providing for such submittal by the county legislative authority at the conclusion of such hearings. The resolution shall establish the boundaries of the district and include a finding that the creation of the district is in the public interest and that the area included within the district can reasonably be expected to benefit from its creation. No portion of a city may be included in such a district unless the entire city is included. The boundaries of such a district shall follow school district or community college boundaries in as far as practicable.

(4) The proposition to create a cultural arts, stadium and convention district shall be submitted to the voters of the proposed district at the next general election held sixty or more days after the adoption of the resolution or at a special election called for such purpose. The district shall be created upon approval of the proposition by simple majority vote. The ballot proposition submitted to the voters shall be in substantially the following form:

FORMATION OF CULTURAL ARTS, STADIUM AND CONVENTION DISTRICT.....

Shall a cultural arts, stadium and convention district be established for the area described in a resolution of the legislative authority of county, adopted on the day of, 19.., which permits the district to levy an ad valorem property tax of up to fifty cents per one thousand dollars of assessed valuation of property located within the district?

NEW SECTION. Sec. 4. MULTI-COUNTY DISTRICT—CREATION.

A joint hearing by the legislative authorities of two or more counties on the proposed creation of a cultural arts, stadium and convention district including areas within such counties may be held as provided herein:

(1) The process to initiate such a hearing shall be identical with the process provided in section 3(1) of this amendatory act, except a resolution of all the legislative authorities of each county with territory proposed to be included shall be necessary.

(2) No territory may be added to or deleted from such a proposed district, except by action of the county legislative authority of the county within whose boundaries the territory lies pursuant to the process provided in section 3 of this amendatory act.

(3) The resolutions shall each contain identical provisions concerning the governing body, as delineated in section 5 of this amendatory act.

NEW SECTION. Sec. 5. GOVERNING BODY. The number of persons on the governing body of the district and how such persons shall be selected and replaced shall be included in the resolution of the county legislative authority providing for the submittal of the proposition to create the district to the voters. Members of the governing body may only consist of a combination of city council members or mayors of the city or cities included within the district, members of the county legislative authority, the county executive of a county operating under a home rule charter, elected members of the governing bodies of municipalities located within the district, and members of the board of regents of a community college district. No governing body may consist of more than nine members. The resolution may also provide for additional, ex officio, nonvoting members consisting of elected officials or appointed officials from the counties, cities, or municipalities which are located all or partially within the boundaries of such a district and who do not have elected or appointed officials sitting on the governing body.

Any member of the governing body, or any ex officio member, who is not an elective official whose office is a full-time position may be reimbursed for reasonable expenses actually incurred in attending meetings or engaging in other district business as provided in RCW 42.24.090.

NEW SECTION. Sec. 6. COMPREHENSIVE PLAN—DEVELOPMENT—ELEMENTS. The cultural arts, stadium and convention district, as authorized in this chapter, shall develop a comprehensive cultural arts, stadium and convention plan for the district. Such plan shall include, but not be limited to the following elements:

(1) The levels of cultural arts, stadium and convention services that can be reasonably provided for various portions of the district.

(2) The funding requirements, including local tax sources, state and federal funds, necessary to provide various levels of service within the district.

(3) The impact of such a service on other cultural arts, stadium and convention systems operating within that county or adjacent counties.

NEW SECTION. Sec. 7. COMPREHENSIVE PLAN—REVIEW—APPROVAL OR DISAPPROVAL—RESUBMISSION. The comprehensive cultural arts, stadium and convention plan adopted by the district shall be reviewed by the state planning and community affairs agency, or its successor, to determine:

(1) Whether the plan will enhance the progress of the state and provide for the general welfare of the population; and

(2) Whether such plan is eligible for matching state or federal funds.

After reviewing the comprehensive cultural arts, stadium and convention plan, the state planning and community affairs agency, or its successor, shall have sixty days in which to approve such plan and to certify to the state treasurer that such district shall be eligible to receive state funds. To be approved a plan shall provide

for coordinated cultural arts, stadium and convention planning, and be consistent with the public cultural arts, stadium and convention coordination criteria in a manner prescribed by chapter 35.60 RCW. In the event such comprehensive plan is disapproved and ruled ineligible to receive state funds, the state planning and community affairs agency, or its successor, shall provide written notice to the district within thirty days as to the reasons for such plan's disapproval and such ineligibility. The district may resubmit such plan upon reconsideration and correction of such deficiencies cited in such notice of disapproval.

NEW SECTION. Sec. 8. ANNEXATION ELECTION. An election to authorize the annexation of contiguous territory to a cultural arts, stadium and convention district may be submitted to the voters of the area proposed to be annexed upon the passage of a resolution of the governing body of the district. Approval by simple majority vote shall authorize such annexation.

NEW SECTION. Sec. 9. DISTRICT AS QUASI MUNICIPAL CORPORATION—GENERAL POWERS. A cultural arts, stadium and convention district is a quasi municipal corporation, an independent taxing "authority" within the meaning of Article VII, section 1, of the state Constitution, and a "taxing district" within the meaning of Article VII, section 2, of the state Constitution. A district shall constitute a body corporate and shall possess all the usual powers of a corporation for public purpose. In addition to the powers specifically granted by this chapter, a district shall have all powers which are necessary to carry out the purposes of this chapter. A cultural arts, stadium and convention district may contract with the United States or any agency thereof, any state or agency thereof, any other cultural arts, stadium and convention district, any county, city, metropolitan municipal corporation, special district, or governmental agency, within or without the state, and any private person, firm or corporation for the purpose of receiving gifts or grants or securing loans or advances for preliminary planning and feasibility studies, or for the design, construction or renovation or operation of cultural arts, stadium and convention facilities. In addition, a district may contract with any governmental agency or with any private person, firm or corporation for the use by either contracting party of all or any part of the facilities, structures, lands, interests in lands, air rights over lands and rights of way of all kinds which are owned, leased or held by the other party and for the purpose of planning, constructing or operating any facility or performing any service which the cultural arts, stadium and convention district may be authorized to operate or perform, on such terms as may be agreed upon by the contracting parties. Before any contract for the lease or operation of any cultural arts, stadium and convention district facilities shall be let to any private person, firm or corporation, competitive bids shall be called upon such notice, bidder qualifications and bid conditions as the district shall determine.

A district may sue and be sued in its corporate capacity in all courts and in all proceedings.

NEW SECTION. Sec. 10. ADDITIONAL POWERS. The governing body of a cultural arts, stadium and convention district shall have the following powers in addition to the general powers granted by this chapter:

(1) To prepare, adopt and carry out a general comprehensive plan for cultural arts, stadium and convention service which will best serve the residents of the district and to amend said plan from time to time to meet changed conditions and requirements.

(2) To acquire by purchase, gift or grant and to lease, convey, construct, add to, improve, replace, repair, maintain, and operate cultural arts, stadium and convention facilities and properties within the district, including portable and mobile facilities and parking facilities and properties and such other facilities and properties as may be necessary for passenger and vehicular access to and from such facilities and properties, together with all lands, rights of way, property, equipment and

accessories necessary for such systems and facilities. Cultural arts, stadium and convention facilities and properties which are presently owned by any component city, county or municipality may be acquired or used by the district only with the consent of the legislative authority, council or governing body of the component city, county or municipality owning such facilities. A component city, county or municipality is hereby authorized to convey or lease such facilities to a district or to contract for their joint use on such terms as may be fixed by agreement between the component city, county or municipality and the district, without submitting the matter to the voters of such component city, county or municipality.

(3) To fix rates and charges for the use of such facilities.

NEW SECTION. Sec. 11. **ISSUANCE OF GENERAL OBLIGATION BONDS—MATURITY—METHODS OF PAYMENT.** To carry out the purpose of this chapter, any cultural arts, stadium and convention district shall have the power to issue general obligation bonds for capital purposes only, not to exceed an amount, together with any outstanding general obligation indebtedness equal to three-eighths of one percent of the value of taxable property within such district, as the term "value of taxable property" is defined in RCW 39.36.015. A cultural arts, stadium and convention district is additionally authorized to issue general obligation bonds for capital purposes only, together with any outstanding general obligation indebtedness, not to exceed an amount equal to three-fourths of one percent of the value of the taxable property within the district, as the term "value of taxable property" is defined in RCW 39.36.015, and to provide for the retirement thereof by excess levies when approved by the voters at a special election called for that purpose in the manner prescribed by section 6, Article VIII and section 2, Article VII of the Constitution and by RCW 84.52.056. General obligation bonds may not be issued with a maturity in excess of forty years.

NEW SECTION. Sec. 12. **REVENUE BONDS—ISSUANCE, SALE, TERM, PAYMENT.** To carry out the purposes of this chapter, the cultural arts, stadium and convention district shall have the power to issue revenue bonds: **PROVIDED,** That the district governing body shall create or have created a special fund or funds for the sole purpose of paying the principal of and interest on the bonds of each such issue, into which fund or funds the governing body may obligate the district to pay such amounts of the gross revenue of all or any part of the facilities constructed, acquired, improved, repaired or replaced pursuant to this chapter, as the governing body shall determine: **PROVIDED FURTHER,** That the principal of and interest on such bonds shall be payable only out of such special fund or funds, and the owners and holders of such bonds shall have a lien and charge against the gross revenue pledged to such fund.

The governing body of a district shall have such further powers and duties in carrying out the purposes of this chapter as provided in RCW 67.28.160.

NEW SECTION. Sec. 13. **CULTURAL ARTS, STADIUM AND CONVENTION DISTRICT TAX LEVIES.** The governing body of a cultural arts, stadium and convention district may levy or cause to levy the following ad valorem taxes:

(1) A regular ad valorem property tax for general district purposes of up to fifty cents per thousand dollars of assessed valuation of property located within the district in each year for six consecutive years.

In the event cultural arts, stadium and convention districts are levying property taxes, which in combination with property taxes levied by other taxing districts result in taxes in excess of the one percent limitation provided for in Article VII, section 2, of our state Constitution, the cultural arts, stadium and convention district property tax levy shall be reduced or eliminated before the property tax levies of other taxing districts are reduced: **PROVIDED, HOWEVER,** That this limitation shall apply to taxing districts existing as of the effective date of this amendatory act.

(2) An annual excess ad valorem property tax for general district purposes when authorized by the district voters in the manner prescribed by section 2, Article VII of the Constitution and by RCW 84.52.052.

(3) Multi-year excess ad valorem property tax levies used to retire general obligation bond issues when authorized by the district voters in the manner prescribed by section 2, Article VII of the Constitution and by RCW 84.52.056.

The district shall include in its regular property tax levy for each year a sum sufficient to pay the interest and principal on all outstanding general obligation bonds issued without voter approval pursuant to section 11 of this amendatory act and may include a sum sufficient to create a sinking fund for the redemption of all outstanding bonds.

NEW SECTION. Sec. 14. CONTRIBUTION OF SUMS FOR EXPENSES.

The county or counties and each component city included in the district collecting or planning to collect the hotel/motel tax pursuant to RCW 67.28.180 may contribute such revenue towards the expense for maintaining and operating the cultural arts, stadium and convention system in such manner as shall be agreed upon between them.

NEW SECTION. Sec. 15. TREASURER AND AUDITOR—BOND—DUTIES—FUNDS—DEPOSITARIES. Unless the cultural arts, stadium and convention district governing body, by resolution, designates some other person having experience in financial or fiscal matters as treasurer of the district, the treasurer of the county in which a cultural arts, stadium and convention district is located shall be ex officio treasurer of the district: PROVIDED, That in the case of a multi-county cultural arts, stadium and convention district, the county treasurer of the county with the greatest amount of area within the district shall be the ex officio treasurer of the district. The district may, and if the treasurer is not a county treasurer shall, require a bond for such treasurer with a surety company authorized to do business in the state of Washington, in an amount and under the terms and conditions as agreed to by the district, by resolution, in such amount from time to time which will protect the authority against loss. The premium on any such bond shall be paid by the authority.

All district funds shall be paid to the treasurer and shall be disbursed by the treasurer only on warrants issued by an auditor appointed by the district, upon orders or vouchers approved by the governing body. The treasurer shall establish a "cultural arts, stadium and convention fund," into which shall be paid district funds as provided in section 14 of this amendatory act and the treasurer shall maintain such special funds as may be created by the governing body into which said treasurer shall place all moneys as the governing body may, by resolution, direct.

If the treasurer of the district is a treasurer of the county, all district funds shall be deposited with the county depository under the same restrictions, contracts, and security as provided for county depositories; the county auditor of such county shall keep the records of the receipts and disbursements, and shall draw, and such county treasurer shall honor and pay all warrants, which shall be approved before issuance and payment as directed by the district.

NEW SECTION. Sec. 16. FINANCIAL SUPPORT PAYMENTS. A cultural arts, stadium and convention district that has been established in accordance with section 3 or 4 of this amendatory act is eligible to receive a one-time advanced financial support payment from the state to assist in the development of the initial comprehensive plan required by sections 6 and 7 of this amendatory act. The amount of this support payment is established at two dollars per person residing within each cultural arts, stadium and convention district, as determined by the office of financial management, but no single payment shall exceed one hundred thousand dollars. Repayment of an advanced financial support payment shall be made to the cultural arts, stadium and convention account in the general fund, or if

such account does not exist, to the general fund. The state planning and community affairs agency, or its successor agency, shall provide technical assistance in the preparation of local plans, and administer the advanced financial support payments authorized by this section.

NEW SECTION. Sec. 17. DISSOLUTION AND LIQUIDATION. A cultural arts, stadium and convention district established in accordance with this chapter shall be dissolved and its affairs liquidated when so directed by a majority of persons in the district voting on such question. An election placing such question before the voters may be called in the following manner:

(1) By resolution of the cultural arts, stadium and convention district governing authority;

(2) By resolution of the county legislative body or bodies with the concurrence therein by resolution of the city council of a component city; or

(3) By petition calling for such election signed by at least ten percent of the qualified voters residing within the district filed with the auditor of the county wherein the largest portion of the district is located. The auditor shall examine the same and certify to the sufficiency of the signatures thereon: PROVIDED, That to be validated, signatures must have been collected within a ninety-day period as designated by the petition sponsors.

With dissolution of the district, any outstanding obligations and bonded indebtedness of the district shall be satisfied or allocated by mutual agreement to the county or counties and component cities of the cultural arts, stadium and convention district.

Sec. 18. Section 84.52.052, chapter 15, Laws of 1961 as last amended by section 20, chapter 210, Laws of 1981 and RCW 84.52.052 are each amended to read as follows:

The limitations imposed by RCW 84.52.050 through 84.52.056, and RCW 84.52.043 shall not prevent the levy of additional taxes by any taxing district except school districts in which a larger levy is necessary in order to prevent the impairment of the obligation of contracts. Any county, metropolitan park district, park and recreation service area, park and recreation district, sewer district, water district, public hospital district, road district, rural county library district, intercounty rural library district, fire protection district, cemetery district, city, or town may levy taxes at a rate in excess of the rate specified in RCW 84.52.050 through 84.52.056 and RCW 84.52.043, or RCW 84.55.010 through 84.55.050, when authorized so to do by the electors of such county, metropolitan park district, park and recreation service area, park and recreation district, sewer district, water district, public hospital district, road district, rural county library district, intercounty rural library district, fire protection district, cemetery district, city, ((or)) town, or cultural arts, stadium and convention district in the manner set forth in Article VII, section 2(a) of the Constitution of this state, as amended by Amendment 64 and as thereafter amended, at a special or general election to be held in the year in which the levy is made.

A special election may be called and the time therefor fixed by the county legislative authority, or council, board of commissioners, or other governing body of any metropolitan park district, park and recreation service area, park and recreation district, sewer district, water district, public hospital district, road district, rural county library district, intercounty rural library district, fire protection district, cemetery district, city ((or)), town, or cultural arts, stadium and convention district, by giving notice thereof by publication in the manner provided by law for giving notices of general elections, at which special election the proposition authorizing such excess levy shall be submitted in such form as to enable the voters favoring the proposition to vote "yes" and those opposed thereto to vote "no".

NEW SECTION. Sec. 19. LEGISLATIVE DIRECTIVE. Sections 1 through 17 of this amendatory act are added to Title 67 RCW as a new chapter thereof.

NEW SECTION. Sec. 20. CAPTIONS NOT LAW. Section captions as used in this amendatory act shall not be construed as and do not constitute any part of the law.

NEW SECTION. Sec. 21. There is added to chapter 35.21 RCW a new section to read as follows:

Any city with a population of twenty-five thousand or more, but less than four hundred thousand, may impose a special excise tax of up to three percent on the sale or charge made for the furnishing of lodging by a hotel, rooming house, tourist court, motel, or trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, except that no such tax may be levied on any premises having fewer than fifteen lodging units. It shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes rental or lease of real property and not a mere license to use or enjoy the same. The proceeds of this tax may only be used to fund the acquisition, design, and construction of convention or trade facilities.

This tax is in addition to the sales taxes that cities are authorized to impose in chapter 82.14 RCW and RCW 67.28.180. The tax shall not be a deduction from sales taxes imposed by the state.

Any city imposing the sales tax authorized in this section may contract with the state department of revenue for its collection and distribution as provided in chapter 82.14 RCW for the collection and distribution of general sales taxes imposed by cities.

NEW SECTION. Sec. 22. SEVERABILITY. If any provision of this 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. 23. EMERGENCY. This 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 Charnley: "I do not have those amendments in front of me; where I trust Senator Shinpoch quite a lot, very much, I would appreciate very much having a copy of the amendments. I am not sure that anybody else has."

On motion of Senator Shinpoch, the following amendments to the amendment by Senator Zimmerman were considered and adopted simultaneously:

On page 8, line 5, after "sources" strike ", state and" and insert "or"

On page 8, line 28, after "matching" strike "state or"

On page 8, line 38, after "receive" strike "state"

On page 9, line 10, after "receive" strike "state"

Senator Shinpoch moved the following amendments by Senators Shinpoch, Scott and Woody to the amendment by Senator Zimmerman be considered and adopted simultaneously:

On page 15, line 19, following "PROVIDED," strike the remainder of the subsection and insert: "That no cultural arts, stadium, and convention district may pledge anticipated revenues derived from the property tax herein authorized as security for payments of bonds issued pursuant to subsection (1) of this section and : PROVIDED, FURTHER, That such limitation shall not apply to property taxes approved pursuant to subsections (2) and (3) of this section."

On page 18, line 8, strike all of "NEW SECTION. Sec. 16" and renumber the remaining sections accordingly.

POINT OF INQUIRY

Senator Clarke: "Would that, however, not have the effect of foreclosing those other minor districts? If you go in and sell these bonds and the other minor districts then want to make up the difference between the 1%, doesn't your amendment, in effect, foreclose those other minor taxing districts, Senator?"

Senator Shinpoch: "I assumed you were asking me; I will try to respond. The way the language is now, it says that if those districts want to come in then the stadium and convention district property tax levy shall be reduced or eliminated. And as Senator Scott indicated, what we are trying to do is keep people from getting into that. And you still have the revenue bonds in this and you still have the ad valorem taxation in this that you can put in the bank but what it does is keep you from getting into that 'Catch 22' where you are using someone's credit, in effect, and they come in and say, 'Okay, now I need my money,' and you have done it to the bondholders and the district, too."

POINT OF INQUIRY

Senator Scott: "Senator Bauer, this isn't just a hundred thousand net, this is a hundred thousand dollars for every district of this type that starts up, dozens of them.

"My trouble is, can you tell us how many there are going to be? And can you tell us what effect it is going to have on our cash flow? We have a new revenue plan that you will be excited to see. It still shows us, come September, 1.7 million down on the cash flow side. How many of these draws are there? That is the reason for the amendment."

Senator Bauer: "Mr. President, I am assuming that was a question he was asking of me. With permission of the President, I will respond.

"If building a convention center in Seattle is going to be lucrative for the state coffers, as a good concept, well then maybe some of these little ones out in the hinterland might also be. So if you can justify the one, I think you can justify the other.

"I don't think they are going to sprout up like mushrooms. There are a couple of areas in the state that are really interested and have been working for years in trying to get to this position here. And I would be surprised if there are two or three, Senator Scott."

The motion by Senator Shinpoch carried and the amendments to the amendment by Senator Zimmerman were adopted.

Senator Wojahn moved adoption of the following amendment by Senators Wojahn, Haley and Rasmussen to the amendment by Senator Zimmerman:

On page 23 of the amendment, after line 10, insert the following:

"Sec. 22. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 8, Laws of 1981 2nd ex. sess. and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to four and one-half percent of the selling price: PROVIDED, That from and after the first day of December, 1981, until the thirtieth day of June, 1983, such tax shall be levied and collected in an amount equal to five and five-tenths percent of the selling price: Provided, That from and after the effective date of this 1982 act, until the thirtieth day of June 1983, such tax shall be levied and collected in an amount equal to four and one-half percent of the selling price on sales of labor, material, or services for the development and construction commenced by December 1, 1981, by a county, city, or town of a multipurpose public facility that costs over five million dollars which promotes through tourism the economic well-being of the county, city, or town in which it is located and of the state.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property."

Renumber the sections consecutively.

POINT OF ORDER

Senator Gould: "The proposed amendment expands the scope and object of this bill.

"Mr. President, to quote Senator Wojahn, this just adds a little bit to the bill and it certainly does. The bill is designed to establish a mechanism for establishing and funding cultural arts, stadium and convention districts; and the amendment obviously deals with the sales tax on construction which has already been started and is well outside of the object of the bill."

MOTION

Senator Pullen moved that further consideration of Substitute House Bill No. 1156, as amended, together with the pending amendment by Senators Wojahn, Haley and Rasmussen to the amendment by Senator Zimmerman and the Point of Order raised by Senator Gould, be held for March 23, 1982.

Debate ensued.

The motion by Senator Pullen failed.

MOTION

At 5:24 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 5:30 p.m.

The Senate resumed considered of Substitute House Bill No. 1156, as amended, and the Point of Order raised by Senator Gould on the amendment by Senators Wojahn, Haley and Rasmussen to the amendment by Senator Zimmerman.

RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the Point of Order raised by Senator Gould, the President finds that Substitute House Bill No. 1156 is a measure which provides local government with additional funding mechanisms for constructing stadiums and cultural arts and convention facilities.

"The amendment proposed by Senators Wojahn, Haley and Rasmussen would lower the sales tax from 5½% to 4½% on the sale of labor, material and services for local government public facility construction projects commenced by December 1, 1981, which promote tourism and exceed \$5 million in costs.

"The President therefore finds that the proposed amendment does expand the scope and object of the bill and that the Point of Order is well taken."

The amendment by Senators Wojahn, Haley and Rasmussen to the amendment by Senator Zimmerman was ruled out of order.

Senator Pullen moved adoption of the following amendment to the amendment by Senator Zimmerman:

On page 23, line 20, strike all of New Section 23.

Debate ensued.

The motion by Senator Pullen carried and the amendment to the amendment was adopted.

On motion of Senator Pullen, the following amendment to the amendment by Senator Zimmerman was adopted:

On page 3, line 17, after "election," insert "Such signatures will be certified by the county auditor or the county elections department."

Senator Pullen moved adoption of the following amendment to the amendment by Senator Zimmerman:

On page 3, line 26, after "in" delete "one or more" and insert "each"

On line 27, delete "newspapers" and insert "newspaper"

Debate ensued.

The motion by Senator Pullen failed and the amendment to the amendment was not adopted.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Bauer moved the Senate immediately reconsider the vote by which the amendment striking new section 23 by Senator Pullen was adopted earlier today to the amendment by Senator Zimmerman.

Debate ensued.

The motion by Senator Bauer failed on a rising vote.

The President declared the question before the Senate to be the amendment by Senator Zimmerman, as amended.

The motion by Senator Zimmerman carried and the amendment, as amended, was adopted.

On motion of Senator Pullen, the following amendment to the title was adopted:

On page 1, line 16 of the title, following "RCW;" insert "and", and on line 17, following "RCW" strike "; and declaring an emergency"

MOTION

Senator Zimmerman moved the rules be suspended, Substitute House Bill No. 1156, as amended by the Senate, be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

POINT OF INQUIRY

Senator Rasmussen: "Senator Zimmerman, I am looking at page 4, starting on line 34. My question has to do with the formation of a district. 'No portion of a city may be included in such a district unless the entire city is included.' Then it goes on to say 'The boundaries of such a district shall follow school district or community college boundaries in as far as practicable.' How far could that be extended? You're saying 'they shall follow school district boundaries.' They don't coincide with community college boundaries and at what point would you say was practical or impractical? The school district boundaries do not follow city limits or anything, they cross all the lines, in some cases cross county lines."

Senator Zimmerman: "Senator Rasmussen, the idea was that they would try to follow a boundary that would be an elective boundary in which, for the sake of the county auditor or the elections officer, it is easier for them to handle an election when it follows a specific boundary of some unit of government.

"Now in this case they are saying, as far as practical simply, that there would be obviously, the logic that you would decide what size of an area you figure you would be forming the district, and hopefully that you could see that there would be boundaries that would not make the county auditor, in this case the elections officer, have to prepare ballots for a few people in a block that is just across the street from a boundary zone. That is the purpose primarily of specifically stating those election boundaries.

"I think that that, as practical as the idea of giving some flexibility to the officers."

REMARKS BY SENATOR GOULD

Senator Gould: "Just to add a note. Senator Rasmussen, community college district boundaries do follow school district boundaries. They are composed of school districts and would be very consistent. It is an opportunity of a center of interest to be the focal point for, and boundary for, convention center or a stadium, obviously, which would be an interest of the school district. And I think it is a very appropriate one."

POINT OF INQUIRY

Senator Hurley: "Senator Zimmerman, I know that there is a vote of the people but I am wondering, in your striking amendment or your amendment here, if there are adequate hearings and is there an adequate time period and explanation of the taxes that are going to be imposed and information so that the people know what they're voting on?"

Senator Zimmerman: "Senator Hurley, I appreciate your question because I know that this has been a concern of yours on these elections of this sort.

"And in this particular issue, we discussed the possibility of being sure that this election would be held at the time of a general election, so first of all, there would be a major election being held and hopefully with that, there would be lots of discussion.

"Now the fact that this is a new idea and a rather unusual procedure that is involved — it is quite a pioneering-type step. It will be my personal opinion and I think Senator Gould's and Representative Nelson's that there would be a considerable amount of publicity involved in the process of, first of all the forming of it, secondly, the means by which it would be funded, and I can't recall exactly the details as far as the notices, but I do know they have to go through, as we have already noted, the publicity, the publishing of notice.

"I am fully in favor of very adequate notice on this, and I would hope that there would be no way that, somebody how they would pull something over anybody's eyes in terms of forming this district. I guess we have to, in the sense of probably request, because I don't believe that we say that they 'must' hold it at the general election. We talked about this in caucus and I guess we didn't put such an amendment up. Maybe Senator Gould can add to that."

REMARKS BY SENATOR GOULD

Senator Gould: "Mr. President, a couple of comments about the bill and also in response to Senator Hurley.

"First of all, Senator Hurley, if section 3 has very specific language about hearings, about notification, number of days that have to be notified so that there is a complete process. The second part is that this follows all the rules of the 40/60, in the constitutional, forty percent of the last election and sixty percent vote by the people. So that protection is in there. I think every protection that we can have is in this bill."

The motion by Senator Zimmerman carried.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 1156, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1156, as amended by the Senate, and the bill failed to pass the Senate by the following vote: Yeas, 23; nays, 24; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Deccio, Fleming, Fuller, Gallagher, Gould, Guess, Haley, Hansen, Hemstad, Hughes, Jones, Kiskaddon, Lee, Metcalf, Patterson, Quigg, Sellar, Vognild, Woody, Zimmerman—23.

Voting nay: Senators Bottiger, Charnley, Clarke, Conner, Craswell, Gaspard, Goltz, Hurley, Lysen, McCaslin, McDermott, Moore, Newhouse, Peterson, Pullen, Rasmussen, Ridder, Scott, Shinpoch, Talmadge, von Reichbauer, Williams, Wilson, Wojahn—24.

Excused: Senators Hayner, Talley—2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1156, as amended by the Senate, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator McDermott served notice that he would, on the next working day, move for reconsideration of the failure of Substitute House Bill No. 1156, as amended by the Senate, to pass the Senate.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1102, by House Committee on Labor and Economic Development (originally sponsored by Representatives Nelson (G.), Martinis, Struthers, Scott, Monohon, Hastings and Owen):

Implementing law relating to control of gambling.

The bill was read the second time by sections.

Senator Quigg moved adoption of the following amendment by Senators Quigg, Vognild and Woody:

On page 1, line 15, following the enacting clause, strike the remainder of the bill and insert:

"Section 1. Section 1, chapter 139, Laws of 1981 and RCW 9.46.020 are each amended to read as follows:

(1) "Amusement game" means a game played for entertainment in which:

- (a) The contestant actively participates;
- (b) The outcome depends in a material degree upon the skill of the contestant;
- (c) Only merchandise prizes are awarded;
- (d) The outcome is not in the control of the operator;

(e) The wagers are placed, the winners are determined, and a distribution of prizes or property is made in the presence of all persons placing wagers at such game; and

(f) Said game is conducted or operated by any agricultural fair, person, association, or organization in such manner and at such locations as may be authorized by rules and regulations adopted by the commission pursuant to this chapter as now or hereafter amended.

Cake walks as commonly known and fish ponds as commonly known shall be treated as amusement games for all purposes under this chapter.

The legislature hereby authorizes the wagering on the outcome of the roll of dice or the flipping of or matching of coins on the premises of an establishment engaged in the business of selling food or beverages for consumption on the premises to determine (i) which of the participants will pay for certain items of food or beverages served or sold by such establishment and therein consumed, or (ii) whether the establishment or the patron will pay for records selected by the patron for play from the list in any jukebox on the premises. Such establishments are hereby authorized to possess dice and dice cups on their premises, but only for use in such limited wagering. Persons engaged in such limited form of wagering shall not be subject to the criminal or civil penalties otherwise provided for in this chapter: PROVIDED,

That minors shall be barred from engaging in the wagering activities allowed by this chapter.

(2) "Bingo" means a game conducted only in the county within which the organization is principally located in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random and in which no cards are sold except at the time and place of said game, when said game is conducted by a bona fide charitable or nonprofit organization which does not conduct or allow its premises to be used for conducting bingo on more than three occasions per week and which does not conduct bingo in any location which is used for conducting bingo on more than three occasions per week, or if an agricultural fair authorized under chapters 15.76 and 36.37 RCW, which does not conduct bingo on more than twelve consecutive days in any calendar year, and except in the case of any agricultural fair as authorized under chapters 15.76 and 36.37 RCW, no person other than a bona fide member or an employee 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, unless approved by the commission, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game. For the purposes of this subsection the organization shall be deemed to be principally located in the county within which it has its primary business office. If the organization has no business office, the organization shall be deemed to be located in the county of principal residence of its chief executive officer: PROVIDED, That any organization which is conducting any licensed and established bingo game in any locale as of January 1, 1981 shall be exempt from the requirement that such game be conducted in the county in which the organization is principally located.

(3) "Bona fide charitable or nonprofit organization" means: (a) any organization duly existing under the provisions of chapters 24.12, 24.20, or 24.28 RCW, any agricultural fair authorized under the provisions of chapters 15.76 or 36.37 RCW, or any nonprofit corporation duly existing under the provisions of chapter 24.03 RCW for charitable, benevolent, eleemosynary, educational, civic, patriotic, political, social, fraternal, athletic or agricultural purposes only, or any nonprofit organization, whether incorporated or otherwise, when found by the commission to be organized and operating for one or more of the aforesaid purposes only, all of which in the opinion of the commission have been organized and are operated primarily for purposes other than the operation of gambling activities authorized under this chapter; or (b) any corporation which has been incorporated under Title 36 U.S.C. and whose principal purposes are to furnish volunteer aid to members of the armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other national calamities and to devise and carry on measures for preventing the same. ((Such)) Except for a political campaign committee who has filed with the public disclosure commission for a candidate who has duly filed for public office, an organization must have been organized and continuously operating for at least twelve calendar months immediately preceding making application for any license to operate a gambling activity, or the operation of any gambling activity authorized by this chapter for which no license is required. Except for a political campaign committee who has filed with the public disclosure commission for a candidate who has duly filed for public office, it must have not less than fifteen bona fide active members each with the right to an equal vote in the election of the officers~~((, and))~~ or board members, if any, who determine the policies of the organization in order to receive a gambling license. Such an organization must demonstrate to the commission that it has made significant progress toward the

accomplishment of the purposes of the organization during the twelve consecutive month period preceding the date of application for a license or license renewal. The fact that contributions to an organization do not qualify for charitable contribution deduction purposes or that the organization is not otherwise exempt from payment of federal income taxes pursuant to the Internal Revenue Code of 1954, as amended, shall constitute prima facie evidence that the organization is not a bona fide charitable or nonprofit organization for the purposes of this section.

Any person, association or organization which pays its employees, including members, compensation other than is reasonable therefor under the local prevailing wage scale shall be deemed paying compensation based in part or whole upon receipts relating to gambling activities authorized under this chapter and shall not be a bona fide charitable or nonprofit organization for the purposes of this chapter.

(4) "Bookmaking" means accepting bets as a business, rather than in a casual or personal fashion, upon the outcome of future contingent events.

(5) "Commercial stimulant". An activity is operated as a commercial stimulant, for the purposes of this chapter, only when it is an incidental activity operated in connection with, and incidental to, an established business, with the primary purpose of increasing the volume of sales of food or drink for consumption on that business premises. A business holding a class B or H license issued by the Washington state liquor control board is deemed to be an established business primarily engaged in the sale of food and drink for consumption on the premises, and any authorized gambling activity operated in connection with said business is deemed an incidental activity thereto. The commission may by rule establish guidelines and criteria for applying this definition to its applicants and licensees for gambling activities authorized by this chapter as commercial stimulants.

(6) "Commission" means the Washington state gambling commission created in RCW 9.46.040.

(7) "Contest of chance" means any contest, game, gaming scheme, or gaming device in which the outcome depends in a material degree upon an element of chance, notwithstanding that skill of the contestants may also be a factor therein.

(8) "Fishing derby" means a fishing contest, with or without the payment or giving of an entry fee or other consideration by some or all of the contestants wherein prizes are awarded for the species, size, weight, or quality of fish caught in a bona fide fishing or recreational event.

(9) "Gambling". A person engages in gambling if he stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under his control or influence, upon an agreement or understanding that he or someone else will receive something of value in the event of a certain outcome. Gambling does not include fishing derbies as defined by this chapter, parimutuel betting as authorized by chapter 67.16 RCW, bona fide business transactions valid under the law of contracts, including, but not limited to, contracts for the purchase or sale at a future date of securities or commodities, and agreements to compensate for loss caused by the happening of chance, including, but not limited to, contracts of indemnity or guarantee and life, health or accident insurance. In addition, a contest of chance which is specifically excluded from the definition of lottery under subsection (14) of this section shall not constitute gambling.

(10) "Gambling device" means: (a) Any device or mechanism the operation of which a right to money, credits, deposits or other things of value may be created, in return for a consideration, as the result of the operation of an element of chance; (b) any device or mechanism which, when operated for a consideration, does not return the same value or thing of value for the same consideration upon each operation thereof; (c) any device, mechanism, furniture, fixture, construction or installation designed primarily for use in connection with professional gambling; and (d) any subassembly or essential part designed or intended for use in connection with any

such device, mechanism, furniture, fixture, construction or installation. But in the application of this definition, a pinball machine or similar mechanical amusement device which confers only an immediate and unrecorded right of replay on players thereof, which does not contain any mechanism which varies the chance of winning free games or the number of free games which may be won or a mechanism or a chute for dispensing coins or a facsimile thereof, and which prohibits multiple winnings depending upon the number of coins inserted and requires the playing of five balls individually upon the insertion of a nickel or dime, as the case may be, to complete any one operation thereof, shall not be deemed a gambling device: PROVIDED FURTHER, That owning, possessing, buying, selling, renting, leasing, financing, holding a security interest in, storing, repairing and transporting such pinball machines or similar mechanical amusement devices shall not be deemed engaging in professional gambling for the purposes of this chapter and shall not be a violation of this chapter: PROVIDED FURTHER, That any fee for the purchase or rental of any such pinball machines or similar amusement devices shall have no relation to the use to which such machines are put but be based only upon the market value of any such machine, regardless of the location of or type of premises where used, and any fee for the storing, repairing and transporting thereof shall have no relation to the use to which such machines are put, but be commensurate with the cost of labor and other expenses incurred in any such storing, repairing and transporting.

(11) "Gambling information" means any wager made in the course of and any information intended to be used for professional gambling. In the application of this definition information as to wagers, betting odds and changes in betting odds shall be presumed to be intended for use in professional gambling: PROVIDED, HOWEVER, That this subsection shall not apply to newspapers of general circulation or commercial radio and television stations licensed by the federal communications commission.

(12) "Gambling premises" means any building, room, enclosure, vehicle, vessel or other place used or intended to be used for professional gambling. In the application of this definition, any place where a gambling device is found, shall be presumed to be intended to be used for professional gambling.

(13) "Gambling record" means any record, receipt, ticket, certificate, token, slip or notation given, made, used or intended to be used in connection with professional gambling.

(14) "Lottery" means a scheme for the distribution of money or property by chance, among persons who have paid or agreed to pay a valuable consideration for the chance.

For the purpose of this chapter, the following activities do not constitute "valuable consideration" as an element of a lottery:

(a) Listening to or watching a television or radio program or subscribing to a cable television service;

(b) Filling out and returning a coupon or entry blank or facsimile which is received through the mail or published in a bona fide newspaper or magazine, or in a program sold in conjunction with and at a regularly scheduled sporting event, or the purchase of such a newspaper, magazine or program;

(c) Sending a coupon or entry blank by United States mail to a designated address in connection with a promotion conducted in this state;

(d) Visitation to any business establishment to obtain a coupon, or entry blank;

(e) Mere registration without purchase of goods or services;

(f) Expenditure of time, thought, attention and energy in perusing promotional material;

(g) Placing or answering a telephone call in a prescribed manner or otherwise making a prescribed response or answer;

(h) Furnishing the container of any product as packaged by the manufacturer, or a particular portion thereof but only if furnishing a plain piece of paper or card with the name of the manufacturer or product handwritten on it is acceptable in lieu thereof: PROVIDED, That where any drawing is held by or on behalf of in-state retail outlets in connection with business promotions authorized under subsections (d) and (e) hereof, no such in-state retail outlet may conduct more than one such drawing during each calendar year and the period of the drawing and its promotion shall not extend for more than seven consecutive days: PROVIDED FURTHER, That if the sponsoring organization has more than one outlet in the state such drawings must be held in all such outlets at the same time except that a sponsoring organization with more than one outlet may conduct a separate drawing in connection with the initial opening of any such outlet; or

(i) The payment of an admission fee to gain admission to any agricultural fair authorized under chapters 15.76 or 36.37 RCW where (i) the scheme is conducted for promotional or advertising purposes, not including the promotion or advertisement of the scheme itself; and (ii) the person or organization conducting the scheme receives no portion of the admission fee either directly or indirectly and receives no other money for conducting the scheme either directly or indirectly, other than what might be received indirectly as a result of the success of the promotional or advertising aspect of the scheme.

For purposes of this chapter, radio and television broadcasting is hereby declared to be preempted by applicable federal statutes and the rules applicable thereto by the federal communications commission. Broadcast programming, including advertising and promotion, that complies with said federal statutes and regulations is hereby authorized.

(15) "Member" and "bona fide member". As used in this chapter, member and bona fide member each mean a person accepted for membership in an organization eligible to be licensed by the commission under this chapter upon application, with such action being recorded in the official minutes of a regular meeting or who has held full and regular membership status in the organization for a period of not less than twelve consecutive months prior to participating in the management or operation of any gambling activity. Member and bona fide member shall also mean a person who participates on a political campaign committee which has filed with the public disclosure commission for a candidate who has duly filed for public office if that person is identified as such to the commission by the political candidate prior to the operation of any activity authorized under this chapter. Such membership must in no way be dependent upon, or in any way related to, the payment of consideration to participate in any gambling activity.

Member or bona fide member shall include only members of an organization's specific chapter or unit licensed by the commission or otherwise actively conducting the gambling activity: PROVIDED, That

(a) Members of chapters or local units of a state, regional or national organization may be considered members of the parent organization for the purpose of a gambling activity conducted by the parent organization, if the rules of the parent organization so permit; (~~and~~)

(b) Members of a bona fide auxiliary to a principal organization may be considered members of the principal organization for the purpose of a gambling activity conducted by the principal organization. Members of the principal organization may also be considered members of its auxiliary for the purpose of a gambling activity conducted by the auxiliary; and

(c) Members of any chapter or local unit within the jurisdiction of the next higher level of the parent organization may assist any other chapter or local unit of that same organization licensed by the commission in the conduct of gambling activities.

No person shall be a member of any organization if that person's primary purpose for membership is to become, or continue to be, a participant in, or an operator or manager of, any gambling activity or activities.

(16) "Player" means a natural person who engages, on equal terms with the other participants, and solely as a contestant or bettor, in any form of gambling in which no person may receive or become entitled to receive any profit therefrom other than personal gambling winnings, and without otherwise rendering any material assistance to the establishment, conduct or operation of a particular gambling activity. A natural person who gambles at a social game of chance on equal terms with the other participants therein does not otherwise render material assistance to the establishment, conduct or operation thereof by performing, without fee or remuneration, acts directed toward the arrangement or facilitation of the game, such as inviting persons to play, permitting the use of premises therefor, and supplying cards or other equipment used therein. A person who engages in "bookmaking" as defined in this section is not a "player".

(17) A person is engaged in "professional gambling" when:

(a) Acting other than ~~((as a player or))~~ in the manner set forth in RCW 9.46.030 as now or hereafter amended, he knowingly engages in conduct which materially aids any other form of gambling activity or accepts or receives money or other property other than personal winnings, for establishing, or participating in the establishment of gambling activity; or

(b) Acting other than ~~((as a player, or))~~ in the manner set forth in RCW 9.46.030 as now or hereafter amended, he knowingly ~~((accepts or))~~ participates in gambling activity wherein he, or another person, receives money or other property ((pursuant to an agreement or understanding with any person whereby he participates or is to participate in the proceeds)) other than personal winnings, for establishing, or participating in the establishment of gambling activity;

(c) He engages in bookmaking; or

(d) He conducts a lottery as defined in subsection (14) of this section.

Conduct under subparagraph (a) and (b) of this subsection, except as exempted under RCW 9.46.030 as now or hereafter amended, includes but is not limited to conduct directed toward the creation or establishment of the particular game, contest, scheme, device or activity involved, toward the acquisition or maintenance of premises, paraphernalia, equipment or apparatus therefor, toward the solicitation or inducement of persons to participate therein, toward the actual conduct of the playing phases thereof, toward the arrangement of any of its financial or recording phases, or toward any other phase of its operation. If a person having substantial proprietary or other authoritative control over any premises shall permit said premises to be used with the person's knowledge for the purpose of conducting gambling activity other than gambling activities as set forth in RCW 9.46.030 as now or hereafter amended, ~~((and acting other than as a player,))~~ and said person permits such to occur or continue or makes no effort to prevent its occurrence or continuation, he shall be considered as being engaged in professional gambling: PROVIDED, That the accepting or receiving of money or other property for the sole purpose of procurement of refreshments such as food, drink and tobacco products shall not constitute a violation of subparagraph (a) or subparagraph (b) of this subsection, so long as the amount of money or property accepted or received is equal to or less than the actual fair market retail value of said refreshments: PROVIDED FURTHER, That the proprietor of a bowling establishment who awards prizes obtained from player contributions, to players successfully knocking down pins upon the contingency of identifiable pins being placed in a specified position or combination of positions, as designated by the posted rules of the bowling establishment, where the proprietor does not participate in the proceeds of the "prize fund" shall not be construed to be engaging in "professional gambling" within the meaning of this chapter:

PROVIDED, FURTHER, That the books and records of the games shall be open to public inspection.

(18) "Punch boards" and "pull-tabs" shall be given their usual and ordinary meaning as of July 16, 1973, except that such definition may be revised by the commission pursuant to rules and regulations promulgated pursuant to this chapter.

(19) "Raffle" means a game in which tickets bearing an individual number are sold for not more than one dollar each and in which a prize or prizes are awarded on the basis of a drawing from said tickets by the person or persons conducting the game, when said game is conducted by a bona fide charitable or nonprofit organization, no person other than a bona fide member of said organization takes any part in the management or operation of said game, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game.

(20) "Social card game" means a card game, including but not limited to the game commonly known as "Mah Jongg", which constitutes gambling and contains each of the following characteristics:

(a) There are two or more participants and each of them are players; and

(b) A player's success at winning money or other thing of value by overcoming chance is in the long run largely determined by the skill of the player; and

(c) No organization, corporation or person collects or obtains or charges any percentage of or collects or obtains any portion of the money or thing of value wagered or won by any of the players: PROVIDED, That this item (c) shall not preclude a player from collecting or obtaining his winnings; and

(d) No organization or corporation, or person collects or obtains any money or thing of value from, or charges or imposes any fee upon, any person which either enables him to play or results in or from his playing in excess of ~~((one))~~ two dollars per half hour of playing time by that person collected in advance: PROVIDED, That a fee may also be charged for entry into a tournament for prizes, which fee shall not exceed twenty-five dollars, including all separate fees which might be paid by a player for various phases or events of the tournament: PROVIDED FURTHER, That this item (d) shall not apply to the membership fee in any bona fide charitable or nonprofit organization; and

(e) The type of card game is one specifically approved by the commission pursuant to RCW 9.46.070; and

(f) The extent of wagers, money or other thing of value which may be wagered or contributed by any player does not exceed the amount or value specified by the commission pursuant to RCW 9.46.070.

(21) "Thing of value" means any money or property, any token, object or article exchangeable for money or property, or any form of credit or promise, directly or indirectly, contemplating transfer of money or property or of any interest therein, or involving extension of a service, entertainment or a privilege of playing at a game or scheme without charge.

(22) "Whoever" and "person" include natural persons, corporations and partnerships and associations of persons; and when any corporate officer, director or stockholder or any partner authorizes, participates in, or knowingly accepts benefits from any violation of this chapter committed by his corporation or partnership, he shall be punishable for such violation as if it had been directly committed by him.

(23) "Fund raising event" means a fund raising event conducted during any seventy-two consecutive hours but exceeding twenty-four consecutive hours and not more than once in any calendar year or a fund raising event conducted not more than twice each calendar year for not more than twenty-four consecutive hours each time by a bona fide charitable or nonprofit organization as defined in subsection (3) of this section other than any agricultural fair referred to thereunder, upon authorization therefor by the commission, which the legislature hereby authorizes to issue a license therefor, with or without fee, permitting the following activities, or any of

them, during such event: Bingo, amusement games, contests of chance, lotteries and raffles: PROVIDED, That (a) gross wagers and bets received by the organization less the amount of money paid by the organization as winnings, taxes, license fees, and for the purchase cost of prizes given as winnings do not exceed ((five)) ten thousand dollars during the total calendar days of such fund raising event in the calendar year; (b) such activities shall not include any mechanical gambling or lottery device activated by the insertion of a coin or by the insertion of any object purchased by any person taking a chance by gambling in respect to the device; (c) only bona fide members of the organization who are not paid for such service shall participate in the management or operation of the activities, and all income therefrom, after deducting the cost of prizes and other expenses, shall be devoted solely to the lawful purposes of the organization; and (d) such organization shall notify the appropriate local law enforcement agency of the time and place where such activities shall be conducted. The commission shall require an annual information report setting forth in detail the expenses incurred and the revenue received relative to the activities permitted.

Sec. 2. Section 11, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 8, chapter 139, Laws of 1981 and RCW 9.46.110 are each amended to read as follows:

(1) The legislative authority of any county, city-county, city, or town, by local law and ordinance, and in accordance with the provisions of this chapter and rules and regulations promulgated hereunder, may provide for the taxing of any gambling activity authorized in RCW 9.46.030 as now or hereafter amended within its jurisdiction, the tax receipts to go to the county, city-county, city, or town so taxing the same: PROVIDED, That any such tax imposed by a county alone shall not apply to any gambling activity within a city or town located therein but the tax rate established by a county, if any, shall constitute the tax rate throughout such county including both incorporated and unincorporated areas, except for any city located therein with a population of twenty thousand or more persons as of the most recent decennial census taken by the federal government: PROVIDED FURTHER, That ~~((1))~~ (a) punch boards and pull-tabs, chances on which shall only be sold to adults, which shall have a ~~((twenty-five cent))~~ limit as established by the commission, not to exceed fifty cents on a single chance thereon, shall be taxed on a basis which shall reflect only the gross receipts from such punch boards and pull-tabs; and ~~((2))~~ (b) no punch board or pull-tab may award as a prize upon a winning number or symbol being drawn the opportunity of taking a chance upon any other punch board or pull-tab; and ~~((3))~~ (c) all prizes for punch boards and pull-tabs must be on display within the immediate area of the premises wherein any such punch board or pull-tab is located and upon a winning number or symbol being drawn, such prize must be immediately removed therefrom, or such omission shall be deemed a fraud for the purposes of this chapter; and ~~((4))~~ (d) when any person shall win over twenty dollars in money or merchandise from any punch board or pull-tab, every licensee hereunder shall keep a public record thereof for at least ninety days thereafter containing such information as the commission shall deem necessary: AND PROVIDED FURTHER, That taxation of bingo ~~((and)),~~ raffles and punch boards and pull-tabs shall never be in an amount greater than ten percent of the gross revenue received therefrom less the amount paid for or as prizes. Taxation of amusement games shall only be in an amount sufficient to pay the actual costs of enforcement of the provisions of this chapter by the county, city or town law enforcement agency and in no event shall such taxation exceed two percent of the gross revenue therefrom less the amount paid for as prizes: PROVIDED FURTHER, That no tax shall be imposed under the authority of this chapter on bingo, raffles or amusement games when such activities or any combination thereof are conducted by any bona fide charitable or nonprofit organization as defined in RCW

9.46.020(3), which organization has no paid operating or management personnel and has gross income from bingo, raffles or amusement games, or any combination thereof, not exceeding five thousand dollars per year less the amount paid for as prizes. Taxation of ~~((punch boards and pull-tabs shall not exceed five percent of gross receipts, nor shall taxation of))~~ social card games shall not exceed twenty percent of the ((gross)) net revenue from such games.

(2)(a) If payment of any tax as provided under subsection (1) of this section is not received by the county, city-county, city, or town by the last day of the month in which the tax becomes due, there shall be assessed a penalty of five percent of the amount of the tax. If the tax is not received by the last day of the month next succeeding the month in which the due date falls, there shall be assessed a total penalty of ten percent of the amount of the tax. If the tax is not received by the last day of the second month next succeeding the month in which the due date falls, there shall be assessed a total penalty of twenty percent of the amount of the tax. The penalty imposed under this subsection shall be at least two dollars.

(b)(i) A county, city-county, city, or town assessing a penalty as provided in subsection (2)(a) of this section shall provide the commission with a report of the amount of the total penalty assessed.

(ii) A civil action to collect delinquent taxes and penalties under this section may be brought as provided in RCW 9.46.350.

Sec. 3. Section 18, chapter 218, Laws of 1973 1st ex. sess. as amended by section 8, chapter 326, Laws of 1977 ex. sess. and RCW 9.46.180 are each amended to read as follows:

~~((Any person who knowingly causes, aids, abets, or conspires with another to cause any person to violate any provision of this chapter shall be guilty of a felony and upon conviction shall be punished by imprisonment for not more than five years or a fine of not more than one hundred thousand dollars, or both:))~~

(1) The provisions of RCW 9A.08.020 imposing liability for the conduct of another shall apply to violations of this chapter and any person legally accountable hereunder for commission of a felony shall be punished by imprisonment for not more than five years or a fine of not more than one hundred thousand dollars or by both such imprisonment and fine. If the violation shall constitute a gross misdemeanor, punishment shall be imprisonment for not more than one year or a fine of not more than five thousand dollars, or by both such imprisonment and fine. If the violation shall constitute a misdemeanor, punishment shall be imprisonment for not more than ninety days, or a fine of not more than one thousand dollars or by both such imprisonment and fine.

(2) The provisions of chapter 9A.28 RCW, imposing liability for criminal attempt, criminal solicitation or criminal conspiracy shall apply to violations of this chapter. Any person convicted of a gross misdemeanor pursuant to this subsection shall be punished by imprisonment not to exceed one year, or a fine of not more than five thousand dollars or by both such imprisonment and fine. Any person convicted of a misdemeanor shall be punished by imprisonment not to exceed ninety days, or a fine of not more than five hundred dollars, or by both such imprisonment and fine.

Sec. 4. Section 19, chapter 218, Laws of 1973 1st ex. sess. as amended by section 10, chapter 326, Laws of 1977 ex. sess. and RCW 9.46.190 are each amended to read as follows:

Any person or association or organization operating any gambling activity who or which, directly or indirectly, shall in the course of such operation:

(1) Employ any device, scheme, or artifice to defraud any person; or

(2) Make any untrue statement of a material fact, or omit to state a material fact necessary in order to make the statement made not misleading, in the light of the circumstances under which said statement is made to defraud any person; or

(3) Engage in any act, practice or course of operation (~~(as would operate as a fraud or deceit upon)~~) to defraud any person;

Shall be guilty of a gross misdemeanor and upon conviction shall be punished by imprisonment in the county jail for not more than one year or by a fine of not more than five thousand dollars, or by both such confinement and fine.

Sec. 5. Section 22, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.220 are each amended to read as follows:

(1) Whoever engages in professional gambling(, or knowingly causes, aids, abets, or conspires with another to engage in professional gambling,) as defined in RCW 9.46.020(17) (a), (c), or (d) shall be guilty of a felony and fined not more than one hundred thousand dollars or imprisoned not more than five years or both(:(PROVIDED, HOWEVER, That)).

(2) Whoever engages in professional gambling as defined in RCW 9.46.020(17)(b) shall be guilty of a gross misdemeanor and fined not more than five thousand dollars or imprisoned not more than one year in the county jail, or both.

This section shall not apply to those activities enumerated in RCW 9.46.030 or to any act or acts in furtherance thereof when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations adopted pursuant thereto.

NEW SECTION. Sec. 6. There is added to chapter 9.46 RCW a new section to read as follows:

Any person or association or organization operating any gambling activity who or which, directly or indirectly, shall in the course of such operation:

(1) Employ any device, scheme, or artifice to defraud any county, city-county, city or town out of tax moneys, revenues or proceeds due and authorized in accordance with RCW 9.46.110; or

(2) Make any untrue statement of a material fact or make any misleading statement of a material fact or omit to state a material fact necessary in order to make the statement not misleading, in light of the circumstances under which said statement is made, or submit any documents or forms containing any false, or misleading or deceptive information, to local taxing authorities to defraud any county, city-county, city or town out of tax moneys, revenues or proceeds due and authorized in accordance with RCW 9.46.110; or

(3) Engage in any act, practice or course of operation to defraud any county, city-county, city or town out of tax moneys, revenues or proceeds due and authorized in accordance with RCW 9.46.110;

Shall be guilty of a gross misdemeanor and upon conviction shall be punished by imprisonment for not more than one year or by a fine of not more than five thousand dollars, or by both such confinement and fine.

Except as otherwise specifically provided herein, the provisions of chapters 9A.04 through 9A.28 RCW are applicable to offenses defined by this chapter.

NEW SECTION. Sec. 7. If any provision of this 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."

Senator Hemstad moved the following amendments by Senators Hemstad and Zimmerman to the amendment by Senators Quigg, Vognild and Woody be considered and adopted simultaneously:

On page 5, line 9 after "same." strike "~~((Such))~~ Except for a political campaign committee who has filed with the public disclosure commission for a candidate who has duly filed for public office," thus restoring the original language.

On page 5, line 22 after "required." strike "Except for a political campaign committee who has filed with the public disclosure commission for a candidate who has duly filed for public office," thus restoring the original statutory language.

On page 14 line 1, after "activity." strike "Member and bona fide member shall also mean a person who participates on a political campaign committee which has filed with the public disclosure commission for a candidate who has duly filed for public office if that person is identified as such to the commission by the political candidate prior to the operation of any activity authorized under this chapter."

Debate ensued.

The motion by Senator Hemstad failed and the amendments to the amendment were not adopted.

Senator Shinpoch moved adoption of the following amendment by Senators Shinpoch, Quigg and Vognilid to the amendment by Senators Quigg, Vognilid and Woody:

On page 7, following "thereto" insert ": PROVIDED, That no person who has been issued a license pursuant to the provisions of this chapter may allow in a public card room on its premises more than five separate tables at which card games are played, nor shall such licensee allow more than eight players to participate at any one table at any given time: PROVIDED FURTHER, That no licensee which allows a social card room on its premises shall allow more than eight players to participate at any one table at any time: PROVIDED FURTHER, That notwithstanding the foregoing prohibitions the commission may permit a licensee to exceed these limits on specific occasions for good cause shown. Requests to exceed the limit shall be submitted to the commission in writing not less than thirty days preceding the date upon which the licensee wishes to exceed the limit. The request shall indicate the date(s) involved, the reasons for the request, and the number of games and players in the games which the licensee desires to allow on such occasion."

POINT OF INQUIRY

Senator Gould: "Senator Shinpoch, if we adopt this amendment . . . Two questions. Tell me again what it does to the food and alcohol consumption regulation."

Senator Shinpoch: "In my judgment, or in the judgment of our attorney, well then the gambling commission would no longer have anything to say about that equity question."

Senator Gould: "And who would have that control?"

Senator Shinpoch: "There would simply be no control. If you had 75% income from gambling and 25 from food and drink, that's the way it would be. The control would simply be on the five tables."

Senator Gould: "And that could be changed by the legislature, would have to be changed by the legislature and could be at any time through legislation?"

Senator Shinpoch: "Oh, yes. And the WAC could be changed any time as the gambling commission. Did I answer you?"

Senator Gould: "Yes."

POINT OF INQUIRY

Senator Hemstad: "Senator Shinpoch, in reading your amendment, I believe I understand the first part of it but the second part that permits the variations to occur, and let's see, ' . . . shall be submitted to the commission' and so on. Is that currently in the regulation or is that new language in the statute?"

Senator Shinpoch: "No, that, Senator Hemstad, that is currently, I will read it to you: 'The commission may permit a licensee to exceed these limits,' (these limits being five tables), 'on specific occasions for good cause shown. Request to exceed the limit shall be submitted to the commission in writing no less than thirty days. . . That's for tournaments and those types of things.'"

Senator Hemstad: "And that is currently in the WACs?"

Senator Shinpoch: "That is currently in WAC 230.40.030. That is sub (3) of that."

REMARKS BY SENATOR VOGNILD

Senator Vognild: "Thank you, Mr. President. Speaking in favor of this amendment, and I would like to clarify something so when we vote, we all understand it. Senator Gould, you asked the question, what this did. I want to point out to you that the adoption of this amendment has nothing whatsoever to do with the question of trade stimulants of food, drink, versus receipts. This amendment right here does not affect this. This amendment simply puts into the bill the five-table, eight-person-per-table restriction — that's all it will do. The next amendment we talk about after this, would be the one that talks about the trade stimulant."

The motion by Senator Shinpoch carried and the amendment to the amendment was adopted.

Senator Hemstad moved adoption of the following amendment by Senators Hemstad and Zimmerman to the amendment by Senators Quigg, Vognild and Woody:

On page 7, line 3 after "premises." strike "A business holding a class B or H license issued by the Washington state liquor control board is deemed to be an established business primarily engaged in the sale of food and drink for consumption on the premises, and any authorized gambling activity operated in connection with said business is deemed an incidental activity thereto."

PARLIAMENTARY INQUIRY

Senator Hemstad: "Mr. President, it would be my intent with the adoption of this amendment to carry with it the proviso language that was just adopted in the vote on the Shinpoch amendment."

Senator Shinpoch: "Mr. President, ladies and gentlemen. Whether parliamentarily, whether that is correct or not, I would recommend to the body that that amendment do that, because there is absolutely no reason if Senator Hemstad's amendment passes to have the proviso in that I just put in, in my judgment, because you then, if his amendment passes, what you are doing is putting it back under the control of the gambling commission and the two WACS that I just quoted to you would be in effect then."

REPLY BY THE PRESIDENT

President Cherberg: "The President believes that it would take the central amendment out."

Debate ensued.

PARLIAMENTARY INQUIRY

Senator McCaslin: "Mr. President, does this bill fit under what we have decided to consider in a special session under Engrossed Senate Concurrent Resolution No. 150?"

REPLY BY THE PRESIDENT

President Cherberg: "Senator, the bill qualifies on at least two counts: it was a bill in dispute, and also is a revenue measure."

Senator McCaslin: "Oh I'm sorry; I thought we had voted down the Senate bill. Is this the second time we have heard this bill, Mr. President?"

President Cherberg: "No, this is Substitute House Bill No. 1102."

Senator McCaslin: "Thank you, Mr. President."
Further debate ensued.

POINT OF INQUIRY

Senator Moore: "Senator Zimmerman, I would like to inquire of you, has the city council in Vancouver been under a tremendous pressure to repeal cardroom activity in Vancouver? Is there great movement in this direction?"

Senator Zimmerman: "The city council is split on this issue. The city council has some members that think strongly that there is need to do some tightening up on gambling, and there are others that say, 'Hey, let people do whatever they want.' It is like any typical legislative body, it has differences of opinion. And they are happy for the revenue, but they are concerned about some of the possible problems. Obviously, the chief of police is not a member of the council, but is the man that is down there having to be involved in law enforcement, and he is the one that has been most concerned, directly.

"The city council, I think, has enjoyed having some of the revenue but they have not been able to quite figure out how to continue to use it all right there."

Further debate ensued.

Senator Metcalf demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senators Hemstad and Zimmerman to the amendment by Senators Quigg, Vognild and Woody.

ROLL CALL

The Secretary called the roll and the amendment to the amendment was not adopted by the following vote: Yeas, 23; nays, 24; excused, 2.

Voting yea: Senators Benitz, Bluechel, Charnley, Clarke, Craswell, Gallagher, Goltz, Gould, Guess, Hemstad, Jones, Kiskaddon, Lee, Lysen, McCaslin, Metcalf, Patterson, Pullen, Rasmussen, Scott, Williams, Wilson, Zimmerman—23.

Voting nay: Senators Bauer, Bottiger, Conner, Deccio, Fleming, Fuller, Gaspard, Haley, Hansen, Hughes, Hurley, McDermott, Moore, Newhouse, Peterson, Quigg, Ridder, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Wojahn, Woody—24.

Excused: Senators Hayner, Talley—2.

Senator Hemstad moved adoption of the following amendment by Senators Hemstad and Zimmerman to the amendment by Senators Quigg, Vognild and Woody:

On page 23, line 19, after "have a" strike "~~((twenty-five cent))~~ limit as established by the commission, not to exceed fifty cents" and insert "twenty-five cent limit"

POINT OF INQUIRY

Senator Goltz: "Senator Rasmussen, you care for the people in your district?"

Senator Rasmussen: "Yes, Senator Goltz, I certainly do. My great concern is for those people that are unemployed, they cannot afford to go in there and play those pull-tab machines at 50¢. Their wives and children need that money at home. That is my main concern. And you heard my second concern was that the gambling commission, Mr. Hart, calling me and telling me that they should raise the rates. I have a very deep concern and I don't think that gambling improves the atmosphere around any home."

The motion by Senator Hemstad carried and the amendment to the amendment was adopted.

The motion by Senator Quigg carried and the amendment by Senators Quigg, Vognild and Woody, as amended, was adopted.

On motion of Senator Quigg, the following amendment to the title was adopted:

On page 1, line 7 of the title, following "180;" strike all material through "185;" on line 8.

MOTION

On motion of Senator Clarke, the Senate returned to the third order of business.

MESSAGE FROM THE GOVERNOR

Office of the Governor, March 22, 1982.

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

LADIES AND GENTLEMEN:

I have the honor to advise you that on March 22, 1982 Governor Spellman approved the following Senate Bills entitled:

SUBSTITUTE SENATE BILL NO. 4716: Relating to state government.

SENATE BILL NO. 3233: Relating to motor vehicles.

SENATE BILL NO. 3495: Relating to emergency medical technicians.

SUBSTITUTE SENATE BILL NO. 4163: Relating to natural resources.

SUBSTITUTE SENATE BILL NO. 4460: Relating to bicycle laws.

SENATE BILL NO. 4474: Relating to witnesses in criminal proceedings.

SENATE BILL NO. 4549: Relating to transportation.

SENATE BILL NO. 4644: Relating to State investments.

SENATE BILL NO. 4919: Relating to the employment security department.

Sincerely,

MARILYN SHOWALTER

Counsel to the Governor.

MESSAGE FROM THE HOUSE

March 22, 1982.

Mr. President: The Speaker has signed: SUBSTITUTE HOUSE BILL NO. 923, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:

HOUSE BILL NO. 765,

SUBSTITUTE HOUSE BILL NO. 840,

HOUSE BILL NO. 854,

SUBSTITUTE HOUSE BILL NO. 923,

HOUSE CONCURRENT RESOLUTION NO. 37.

MOTION

At 6:58 p.m., on motion of Senator Clarke, the Senate adjourned until 10:30 a.m., Tuesday, March 23, 1982.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWELFTH DAY

MORNING SESSION

Senate Chamber, Olympia, Tuesday, March 23, 1982.

The Senate was called to order at 10:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Clarke, Pullen, Rasmussen and Talley. On motion of Senator Newhouse, Senator Clarke was excused. There being no objection, Senator Talley was excused.

The Color Guard, consisting of Pages Joe Rystrom and Dan DeGraff, presented the Colors. Reverend Wallace F. Misterek, pastor of Trinity Lutheran Church of Olympia, offered the prayer.

MOTION

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

MESSAGES FROM THE HOUSE

March 22, 1982.

Mr. President: The House has passed: **SECOND SUBSTITUTE HOUSE BILL NO. 124**, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

March 22, 1982.

Mr. President: The House has passed: **ENGROSSED SUBSTITUTE HOUSE BILL NO. 1226**, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

INTRODUCTION AND FIRST READING

SECOND SUBSTITUTE HOUSE BILL NO. 124, by Committee on Appropriations—General Government (originally sponsored by Representatives Winsley, Addison, Wang, King (J), Johnson, Granlund, McGinnis and Eberle):

Modifying provisions relating to public employment.

Referred to Committee on Ways and Means.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1226, by Committee on Appropriations—General Government (originally sponsored by Representatives Isaacson, Bond, Sprague, Tilly, Fancher, Dickie, Mitchell, Barrett, Chandler and Barr):

Modifying provisions relating to public employees.

Referred to Committee on Ways and Means.

PERSONAL PRIVILEGE

Senator Bottiger: "Mr. President, since I was apparently the first one to catch the cold or whatever was going through here, I would like to give you some good news. It only lasts nine days."

INTRODUCTION OF GUESTS

President Cherberg announced the presence on the Senate rostrum of the Consul General of Korea Moon Soo Lee; and Consul Boo Yuh Park.

With permission of the Senate, business was suspended to permit Consul General Lee to address the Senate.

The President presented an Honorary Distinguished Citizen of Washington Certificate to the Consul General.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1102, by House Committee on Labor and Economic Development (originally sponsored by Representatives Nelson (G.), Martinis, Struthers, Scott, Monohon, Hastings and Owen):

Implementing law relating to control of gambling.

The Senate resumed consideration of Engrossed Substitute House Bill No. 1102 from March 22, 1982. At that time, an amendment by Senators Quigg, Vognild and Woody, as amended, was adopted. An amendment to the title was also adopted.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, on motion of Senator Quigg, the Senate moved to reconsider the vote by which the amendment by Senators Quigg, Vognild and Woody, as amended, was adopted.

Senator Bauer moved adoption of the following amendment to the amendment by Senators Quigg, Vognild and Woody, as amended:

On page 25, line 2, following "bingo" strike "~~((and))~~, raffles and punch boards and pull-tabs" and insert "and raffles"

Debate ensued.

MOTION

At 12:10 p.m., on motion of Senator Newhouse, the Senate recessed until 1:20 p.m.

AFTERNOON SESSION

President Pro Tempore Guess called the Senate to order at 1:30 p.m.

The Senate resumed consideration of Engrossed Substitute House Bill No. 1102 from earlier today.

On motion of Senator Bauer, there being no objection, an amendment to the amendment moved for adoption earlier today was withdrawn.

Senator Bauer moved the following amendments to the amendment by Senators Quigg, Vognild and Woody, as amended, be considered and adopted simultaneously:

On page 25, line 2, following "bingo" strike "~~((and))~~, raffles and punch boards and pull-tabs" and insert "and raffles"

On page 25, line 30, following "of" strike "~~((punch boards and pull-tabs shall not exceed five percent of gross receipts, nor shall taxation of))~~ social card games shall not and insert "punch boards and pull-tabs shall not exceed five per cent of gross receipts, nor shall taxation of social card games"

Debate ensued.

There being no objection, at 1:42 p.m., the Senate was declared to be at ease.

President Pro Tempore Guess called the Senate to order at 1:45 p.m.

The motion by Senator Bauer carried and the amendments to the amendment, as amended, was adopted.

Senator Shinpoch moved adoption of the following amendment to the amendment by Senators Quigg, Vognild and Woody, as amended:

On page 25, line 35, strike ((gross)) net and insert "gross"
Debate ensued.

POINT OF INQUIRY

Senator Wilson: "Senator Vognild, if you were to tax the net on a gambling device in a place of business that had a number of sources of income, what expenses would you deduct in order to arrive at the net?"

Senator Vognild: "It is my understanding, Senator Wilson, that you would be deducting the expenses directly related. We attempted in here to take the punch-tabs, or the punch-cards and the pull-tabs and say, gross less payout. That was what we intended to do there. What I feel this would do in terms of the card rooms is take the expenses directly related to the operation of the tables and nothing more."

Senator Wilson: "Not a share of the overhead, you mean?"

Senator Vognild: "I don't really know. I suppose that the gambling commission would have to make that ruling, but my intent would be that the expense would have to be directly related to the operation of the tables. If those tables took up 25% of the floor space, I would have no objection to a deduction to that 25%."

Senator Wilson: "I guess I am just, as is Senator Zimmerman, trying to look at this from the standpoint of local government, and what sort of hornet's nest they might run into in arguing with the proprietor as to what expenses were deductible and which were not."

Senator Vognild: "I agree, Senator Wilson, I would have to check the language in the bill previously."

POINT OF INQUIRY

Senator Moore: "Senator Charnley, could you tell us about your experience in this field and your knowledge of overhead items and how these places operate and what the margin of profit really is."

Senator Charnley: "It would seem to me, Senator Moore, my experience is very limited, that the amount of profit is quite substantial and I think the tax is fair."

Further debate ensued.

Senator Shinpoch demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senator Shinpoch to the amendment by Senators Quigg, Vognild and Woody, as amended.

ROLL CALL

The Secretary called the roll and the amendment to the amendment was adopted by the following vote: Yeas, 26; nays, 22; excused, 1.

Voting yea: Senators Bluechel, Bottiger, Charnley, Clarke, Craswell, Fuller, Gallagher, Goltz, Guess, Hemstad, Hughes, Hurley, Kiskaddon, Lee, Lysen, McDermott, Metcalf, Patterson, Pullen, Rasmussen, Ridder, Scott, Shinpoch, Williams, Wilson, Zimmerman—26.

Voting nay: Senators Bauer, Benitz, Conner, Deccio, Fleming, Gaspard, Gould, Haley, Hansen, Hayner, Jones, McCaslin, Moore, Newhouse, Peterson, Quigg, Sellar, Talmadge, Vognild, von Reichbauer, Wojahn, Woody—22.

Excused: Senator Talley—1.

The motion by Senator Quigg carried and the amendment, as amended, on reconsideration, was adopted.

On motion of Senator Quigg, the Senate reconsidered the vote by which the title amendment was adopted on March 22, 1982.

On motion of Senator Quigg, the title amendment, on reconsideration, was adopted.

On motion of Senator Quigg, the rules were suspended, Engrossed Substitute House Bill No. 1102, 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 Talmadge: "Senator Zimmerman, by virtue of your last statement, it seems to me you are indicating that you have a concern about this bill and about the concept of gambling in general. Am I correct by that?"

Senator Zimmerman: "I think that gambling is not something that needs to be encouraged. I think that, as far as the city of Vancouver and the state of Washington, that gambling is not necessarily the future of Washington state and I am not trying to promote it."

Senator Talmadge: "Senator, I have had communication from my senior center and from fraternal and charitable organizations in the thirty-fourth legislative district. Would it be your intention, about this bill, at some point to introduce legislation that would repeal the opportunity for those people to engage in charitable raffles, the gambling 'Reno Night' and things like that that they have now?"

Senator Zimmerman: "The public made a decision a few years ago that has gotten us to where we are and I am not trying to turn the clock back but I guess I am saying I don't think we need to promote it and I don't think we need another Nevada in this state. We have a lot of other things that we don't need."

"But at this point I think we should stay where we are in terms of it. I think it's just okay where we are."

Senator Talmadge: "Thank you."

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1102, as amended by the Senate, and the bill failed to pass the Senate by the following vote: Yeas, 26; nays, 22; excused, 1.

Voting yea: Senators Bauer, Bottiger, Charnley, Conner, Deccio, Fleming, Fuller, Gaspard, Haley, Hansen, Hughes, Hurley, Kiskaddon, Lysen, McDermott, Moore, Newhouse, Peterson, Quigg, Ridder, Sellar, Talmadge, Vognild, von Reichbauer, Wojahn, Woody—26.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Gallagher, Goltz, Gould, Guess, Hayner, Hemstad, Jones, Lee, McCaslin, Metcalf, Patterson, Pullen, Rasmussen, Scott, Shinpoch, Williams, Wilson, Zimmerman—22.

Excused: Senator Talley—1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1102, as amended by the Senate, having failed to receive the constitutional two-thirds majority, was declared lost.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side and Senator McDermott having given notice on March 22, 1982, Senator Clarke moved the Senate do now reconsider the vote by which Engrossed House Bill No. 1156, as amended by the Senate, failed to pass on March 22, 1982.

POINT OF ORDER

Senator Rasmussen: "Mr. President, rule 37 provides that 'A motion to reconsider shall have precedence over every other motion, except the motion to adjourn.' And the motion was not made to adjourn, but ' . . . when the senate adjourns while the motion to reconsider is pending or before passing the order of motions, the right to move a reconsideration shall continue to the next day . . . ' That did not happen, Mr. President, and it further provides that 'On and after the tenth day prior to adjournment sine die of any regular session a motion to reconsider shall only be in order on the same day upon which notice of reconsideration is given.'

"I submit to the President that the ten days that Governor Spellman called us into session ended on Sunday night. Governor Spellman then issued a proclamation for another 7-day special session. Quite obviously we are within the 10-day limit and that is why I raised my point of order that the motion to reconsider was not made at the proper time and acted on."

RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Guess: "Senator Rasmussen, ruling upon the point of order, the Chair believes that the motion was given properly on yesterday and President Cherberg has ruled once before this week that the bill was properly in order before us at this time."

REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "Mr. President, further on the point of order, the motion was made for reconsideration. No motion was made to put it over 'til today. And you could research the records, find that there was no motion made to put that motion over"

President Pro Tempore Guess: "Senator Rasmussen, he gave notice for reconsideration yesterday. Senator McDermott actually gave the notice. Senator McDermott."

Senator McDermott: "Mr. President, my motion was, I gave notice of reconsideration to be considered on the next working day."

Senator Rasmussen: "Which, Mr. President, requires suspension of the rules under rule 37."

President Pro Tempore Guess: "It does not require a suspension of the rules, Senator."

President Pro Tempore Guess declared the question before the Senate to be the motion for reconsideration of Engrossed Substitute House Bill No. 1156, as amended by the Senate.

Debate ensued.

POINT OF INQUIRY

Senator Lysen: "Senator Bottiger, you caught my eye or my ear when you said our bond rating's been lowered again, the third time now? Do you have any idea . . . ?"

Senator Bottiger: "As I mentioned before in prediction that when the state loses its credit rating that reflects down on our units of local government. In this morning's paper there are fourteen units of local government that now had their bond ratings reduced."

Senator Lysen: "Was that purely because of the state's situation?"

Senator Bottiger: "Partly because of WPPSS and partly because their funding sources are not adequate to meet their own bonded indebtedness."

Senator Lysen: "WPPSS' funding sources aren't adequate . . . ?"

Senator Bottiger: "Part of the utilities, I would suggest, lost their's because of WPPSS."

Senator Lysen: "Thank you very much."

Senator Shinpoch demanded a roll call and the demand was sustained.

President Pro Tempore Guess declared the question before the Senate to be the roll call on the motion by Senator Clarke that the Senate reconsider the vote by which Engrossed Substitute House Bill No. 1156, as amended by the Senate, failed to pass on March 22, 1982.

ROLL CALL ON MOTION FOR RECONSIDERATION

The Secretary called the roll and the motion carried by the following vote: Yeas, 31; nays, 17; excused, 1.

Voting yea: Senators Bauer, Benitz, Bluechel, Charnley, Conner, Deccio, Fleming, Fuller, Gallagher, Goltz, Gould, Guess, Haley, Hansen, Hemstad, Hughes, Jones, Kiskaddon, Lee, McDermott, Metcalf, Moore, Patterson, Quigg, Ridder, Sellar, Talmadge, von Reichbauer, Williams, Woody, Zimmerman—31.

Voting nay: Senators Bottiger, Clarke, Craswell, Gaspard, Hayner, Hurley, Lysen, McCaslin, Newhouse, Peterson, Pullen, Rasmussen, Scott, Shinpoch, Vognil, Wilson, Wojahn—17.

Excused: Senator Talley—1.

President Pro Tempore Guess declared the question before the Senate to be final passage of the following bill on reconsideration:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1156, by House Committee on Local Government (originally sponsored by House Committee on Local Government and Representatives Isaacson and Nelson (G.):

Permitting establishment of cultural arts, stadium, and convention districts.

MOTION

On motion of Senator McDermott, the rules were suspended, Engrossed Substitute House Bill No. 1156, as amended by the Senate, was returned to second reading.

MOTION

On motion of Senator McDermott, Engrossed Substitute House Bill No. 1156, as amended by the Senate, was ordered placed at the beginning of the second reading calendar for March 24, 1982.

MOTION

Senator Bottiger moved the Senate now consider House Bill No. 796.

On motion of Senator Bottiger, the motion was withdrawn.

MOTION

On motion of Senator Clarke, the Senate returned to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1217, by House Select Committee on Deregulation and Productivity (originally sponsored by Representatives Williams, Vander Stoep and Tupper):

Modifying provisions on joint operating agencies.

REPORT OF STANDING COMMITTEE

March 22, 1982.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1217, modifying provisions on joint operating agencies (reported by Committee on Energy and Utilities):

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 43.52.250, chapter 8, Laws of 1965 as last amended by section 1, chapter 1, Laws of 1981 1st ex. sess. and RCW 43.52.250 are each amended to read as follows:

As used in this chapter and unless the context indicates otherwise, words and phrases shall mean:

"District" means a public utility district as created under the laws of the state of Washington authorized to engage in the business of generating and/or distributing electricity.

"City" means any city or town in the state of Washington authorized to engage in the business of generating and/or distributing electricity.

"Canada" means Canada or any province thereof.

"Operating agency" or "joint operating agency" means a municipal corporation created pursuant to RCW 43.52.360, as now or hereafter amended.

"Board of directors" means the board established under RCW 43.52.370.

"Executive board" means the board established under RCW 43.52.374.

"Board" means the board of directors of the joint operating agency unless the operating agency is constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW, in which case "board" means the executive board.

"Public utility" means any person, firm or corporation, political subdivision or governmental subdivision including cities, towns and public utility districts engaged in or authorized to engage in the business of generating, transmitting or distributing electric energy.

"Revenue bonds or warrants" means bonds, notes, bond anticipation notes, warrants, certificates of indebtedness, commercial paper, refunding or renewal obligations, payable from a special fund or revenues of the utility properties operated by the joint operating agency.

Sec. 2. Section 43.52.370, chapter 8, Laws of 1965 as last amended by section 1, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.370 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the management and control of an operating agency shall be vested in a board of directors, herein sometimes referred to as the board. The legislative body of each member of an operating agency shall appoint a representative who may, at the discretion of the member and regardless of any charter or other provision to the contrary, be an officer or employee of the member, to serve on the board of the operating agency. Each representative shall have one vote and shall have, in addition thereto, one vote for each block of electric energy equal to ten percent of the total energy generated by the agency during the preceding year purchased by the member represented by such representative. Each member may appoint an alternative representative to serve in the absence or disability of its representative. Each representative shall serve at the pleasure of the member. The board of an operating agency shall elect from its members a president, vice president and secretary, who shall serve at the pleasure of the board. The president and secretary shall perform the same duties with respect to the operating agency as are provided by law for the president and secretary, respectively, of public utility districts, and such other duties as may be provided by motion, rule or resolution of the board. The board of an operating agency shall adopt rules for the conduct of its meetings and the carrying out of its business, and adopt an

official seal. All proceedings of an operating agency shall be by motion or resolution and shall be recorded in the minute book which shall be a public record. A majority of the board members shall constitute a quorum for the transaction of business. A majority of the votes which the members present are entitled to cast shall be necessary and sufficient to pass any motion or resolution: PROVIDED, That such board members are entitled to cast a majority of the votes of all members of the board. The members of the board of an operating agency may be compensated by such agency as is provided in RCW 43.52.290: PROVIDED, That the per diem compensation to any member shall not exceed five thousand dollars in any year except for board members who are elected to serve on an executive board established under RCW 43.52.374, in which case per diem compensation to any member shall not exceed ten thousand dollars in any year.

(2) If an operating agency is constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW, the powers and duties of the board of directors shall include and are limited to the following:

(a) Final authority on any decision of the operating agency to purchase, acquire, construct, ~~((or sell))~~ terminate, or decommission any power plants, works, and facilities except that once the board of directors has made a final decision regarding a nuclear power plant, the executive board established under RCW 43.52.374 shall have the authority to make all subsequent decisions regarding the plant and any of its components; and

~~(b) ((Acceptance or rejection of bids or offers for bonds and the sale and issuance of bonds: PROVIDED, That the board may delegate this authority to the executive board;~~

~~(c) Appointment of a treasurer under RCW 43.52.375;~~

~~(d)) Election of members to and removal from the executive board under RCW 43.52.374(1)(a)((;~~

~~(e) Approve annual budgets submitted by the executive board; and~~

~~(f) Select, appoint, and establish the compensation of the outside directors as provided in RCW 43.52.374)).~~

All other powers and duties of the operating agency, including without limitation authority for all actions subsequent to final decisions by the board of directors, are vested in the executive board established under RCW 43.52.374.

Sec. 3. Section 2, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.374 are each amended to read as follows:

(1) With the exception of the powers and duties of the board of directors described in RCW 43.52.370(2), the management and control of an operating agency constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW is vested in an executive board established under this subsection and consisting of eleven members.

(a) Seven members of the executive board shall be elected to four-year terms by the board of directors from among the members of the board of directors. The board of directors may provide by rule for the composition of the seven members of the executive board elected from among the members of the board of directors so as to ~~((afford fair representation which reflects))~~ reflect the member public utility districts' and cities' participation in the joint operating agency's projects. The board of directors may also provide by rule for the removal of a member of the executive board, ~~((including))~~ except for the outside directors. Members of the board of directors may be elected to serve successive terms on the executive board.

(b) Four members of the executive board shall be outside directors and shall be selected and appointed by the ~~((board of directors))~~ governor and confirmed by the senate. The outside directors shall:

(i) Serve four-year terms on the executive board. However, of the initial members of the executive board, the ~~((board of directors shall choose by lot))~~ governor shall appoint two outside directors to serve two-year terms and two to serve four-year terms. Thereafter, all outside directors shall be appointed for four-year terms. All outside directors are eligible for reappointment;

(ii) Receive per diem compensation and travel expenses on the same basis as the seven members elected from the board of directors. The outside directors ~~((may be paid additional compensation as established by the board of directors))~~ shall receive a salary from the operating agency as fixed by the governor;

(iii) Not be an officer or employee of, or in any way affiliated with, the Bonneville power administration or any electric utility conducting business in the states of Washington, Oregon, Idaho, or Montana;

(iv) Not be involved in the financial affairs of the operating agency as an underwriter or financial adviser of the operating agency or any of its members or any of the participants in any of the operating agency's plants; and

(v) Be representative of policy makers in business, finance, or science, or ~~((be recognized experts))~~ have expertise in the construction or management of such facilities as the operating agency is constructing or operating, or have expertise in the termination, disposition, or liquidation of corporate assets.

(c) ~~((The president of the board of directors shall be a nonvoting member of the executive board and shall serve as the presiding officer of the executive board.))~~ The governor may remove outside directors from the executive board for incompetency, misconduct, or malfeasance in office in the same manner as state appointive officers under chapter 43.06 RCW. For purposes of this section, misconduct shall include, but not be limited to, nonfeasance and misfeasance.

(2) Nothing in this chapter shall be construed to mean that an operating agency is in any manner an agency of the state. Nothing in this chapter alters or destroys the status of an operating agency as a separate municipal corporation or makes the state liable in any way or to any extent for any preexisting or future debt of the operating agency or any present or future claim against the agency.

(3) The eleven members of the executive board shall be selected with the objective of establishing an executive board which has the resources to effectively carry out its responsibilities. ~~((To the extent reasonably possible, the membership and operation of the executive board should be patterned after boards of directors of large private corporations.))~~ All members of the executive board shall conduct their business in a manner which in their judgment is in the interest of all ratepayers affected by the joint operating agency and its projects.

(4) The executive board shall adopt rules for the conduct of its meetings and the carrying out of its business. All proceedings shall be by motion or resolution and shall be recorded in the minute book, which shall be a public record. A majority of the executive board shall constitute a quorum for the transaction of business.

(5) With respect to any operating agency existing on ~~((July 28, 1981))~~ the effective date of this 1982 act, to which the provisions of this section are applicable:

(a) The board of directors shall elect seven members to the executive board no later than sixty days after ~~((July 28, 1981))~~ the effective date of this 1982 act; and

(b) The ~~((board of directors))~~ governor shall select and appoint the initial outside directors and the executive board shall hold its organizational meeting no later than ~~((ninety))~~ sixty days after ~~((July 28, 1981))~~ the effective date of this 1982 act, and the powers and duties prescribed in ~~((RCW 43.52.375, 43.52.378, and this section))~~ this chapter shall devolve upon the executive board at that time.

(6) The executive board shall select and employ a managing director of the operating agency and may delegate to the managing director such authority for the management and control of the operating agency as the executive board deems

appropriate. The managing director's employment is terminable at the will of the executive board.

(7) ~~((Any executive board created under this section shall cease to function upon the initiation of regular operations of the nuclear power plant over which it has exercised construction management powers and duties. If the operating agency is constructing two or more nuclear power plants simultaneously, the executive board shall cease exercising all powers as to each plant as it becomes operational.))~~ Members of the executive board shall be immune from civil liability for mistakes and errors of judgment in the good faith performance of acts within the scope of their official duties involving the exercise of judgment and discretion. This grant of immunity shall not be construed as modifying the liability of the operating agency.

The operating agency shall undertake the defense of and indemnify each executive board member made a party to any civil proceeding including any threatened, pending, or completed action, suit, or proceeding, whether civil, administrative, or investigative, by reason of the fact he or she is or was a member of the executive board, against judgments, penalties, fines, settlements, and reasonable expenses, actually incurred by him or her in connection with such proceeding if he or she had conducted himself or herself in good faith and reasonably believed his or her conduct to be in the best interest of the operating agency.

NEW SECTION. Sec. 4. (1) All personnel and employees of a board of directors or executive board or committee displaced by section 3 of this act shall become personnel and employees of the executive board created in section 3 of this act without any loss of rights, subject to any appropriate action thereafter.

(2) All pending business before a board of directors or executive board or committee which is replaced by the executive board created in section 3 of this act shall be continued and acted upon by the new executive board.

(3) This act shall not be construed to alter:

- (a) Any existing rights acquired under laws relating to operating agencies;
- (b) The status of any actions, activities, or civil or criminal proceedings of any existing operating agencies;
- (c) The status of any collective bargaining agreements, indebtedness, contracts, or other obligations;

(d) Any valid resolutions, covenants, or agreements between an operating agency and members, participants in any electric generating facility, privately owned public utilities, or agencies of the federal government; or

(e) Any rules, resolutions, or orders adopted by a board of directors or executive board or committee until canceled or superseded.

NEW SECTION. Sec. 5. There is added to chapter 43.52 RCW a new section to read as follows:

Nonvoting legislative observers may be placed on the executive board of an operating agency by the legislature. An observer may be appointed by either the president of the senate or the speaker of the house of representatives, or both. Observers shall report as staff of the energy and utilities committee for the house in which the appointment is made.

Legislative observers shall sit with the executive board at all meetings, receive information routinely supplied to executive board members, and may participate in all discussions, briefings, and other activities of the executive board. Observers shall have unrestricted access to all personnel and documents of the operating agency.

Sec. 6. Section 43.52.375, chapter 8, Laws of 1965 as amended by section 3, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.375 are each amended to read as follows:

The board of each joint operating agency shall by resolution appoint a treasurer. ~~((If the joint operating agency is constructing a nuclear power plant under a~~

~~site certification agreement under chapter 80.50 RCW, the appointment of the treasurer shall be on the recommendation of the executive board established under RCW 43.52.374.)~~ The treasurer shall be the chief financial officer of the operating agency, who shall report at least annually to the board a detailed statement of the financial condition of the operating agency and of its financial operations for the preceding fiscal year. The treasurer shall advise the board on all matters affecting the financial condition of the operating agency. Before entering upon his duties the treasurer shall give bond to the operating agency, with a surety company authorized to write such bonds in this state as surety, in an amount which the board finds by resolution will protect the operating agency against loss, conditioned that all funds which he receives as such treasurer will be faithfully kept and accounted for and for the faithful discharge of his duties. The amount of such bond may be decreased or increased from time to time as the board may by resolution direct.

The board shall also appoint an auditor and may require him to give a bond with a surety company authorized to do business in the state of Washington in such amount as it shall by resolution prescribe, conditioned for the faithful discharge of his duties. ~~((If the joint operating agency is constructing a nuclear power plant under a site certification agreement under chapter 80.50 RCW, the auditor shall be appointed by the executive board.))~~

The premiums on the bonds of the auditor and the treasurer shall be paid by the operating agency. The board may provide for coverage of said officers and other persons on the same bond.

All funds of the joint operating agency shall be paid to the treasurer and shall be disbursed by him only on warrants issued by the auditor upon orders or vouchers approved by the board: PROVIDED, That the board by resolution may authorize the ~~((executive committee or executive board))~~ managing director or any other bonded officer or employee as legally permissible to approve or disapprove vouchers presented to defray salaries of employees and other expenses of the operating agency arising in the usual and ordinary course of its business ~~((and expenses incurred by the executive committee or executive board in the performance of such duties as the operating agency may authorize it to perform)), including expenses incurred by the board of directors, its executive committee, or the executive board in the performance of their duties.~~ All moneys of the operating agency shall be deposited forthwith by the treasurer in such depositories, and with such securities as are designated by rules of the board. The treasurer shall establish a general fund and such special funds as shall be created by the board, into which he shall place all money of the joint operating agency as the board by resolution or motion may direct.

Sec. 7. Section 1, chapter 220, Laws of 1979 ex. sess. as amended by section 4, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.378 are each amended to read as follows:

The executive board of any operating agency constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement issued pursuant to chapter 80.50 RCW shall appoint an administrative auditor. The administrative auditor shall be deemed an officer under chapter 42.23 RCW. The appointment of the administrative auditor shall be in addition to the appointment of the auditor for the issuance of warrants and other purposes as provided in RCW 43.52.375. The executive board shall retain a qualified firm or firms to conduct performance audits ~~((including such engineering expertise as the executive board deems necessary.))~~ which is in fact independent and does not have any interest, direct or indirect, in any contract with the operating agency other than its employment hereunder. No member or employee of any such firm shall be connected with the operating agency as an officer, employee, or contractor. The administrative auditor and the firm or firms shall be independently and directly responsible to the executive board of the operating agency. The executive board shall require a firm to

conduct continuing audits of the methods, procedures and organization used by the operating agency to control costs, schedules, productivity, contract amendments, project design and any other topics deemed desirable by the executive board. The executive board may also require a firm to analyze particular technical aspects of the operating agency's projects and contract amendments. The firm or firms shall provide advice to the executive board in its management and control of the operating agency. At least once each year, the firm or firms shall prepare and furnish a report of its actions and recommendations to the executive board for the purpose of enabling it to attain the highest degree of efficiency in the management and control of any thermal power project under construction or in operation. The administrative auditor shall assist the firm or firms in the performance of its duties. The administrative auditor and the firm or firms shall consult regularly with the executive board and furnish any information or data to the executive board which the administrative auditor, firm, or executive board deems helpful in accomplishing the purpose above stated. The administrative auditor shall perform such other duties as the executive board shall prescribe to accomplish this section.

In addition to the powers and duties conferred by chapter 44.28 RCW, the legislative budget committee shall evaluate such management audits as to adequacy and effectiveness of procedure and shall consult with and make reports and recommendations to the executive board. The operating agency shall reimburse the legislative budget committee for all costs of furnishing such services.

The operating agency shall file a copy of each firm's reports, and the legislative budget committee shall file a copy of each of its reports or recommendations in a timely manner, prepared in accordance with this section, with the respective chairmen of the senate and house energy and utilities committees. Upon the concurrent request of the chairmen of the senate or house energy and utilities committees, the operating agency shall report to the committees on a quarterly basis.

NEW SECTION. Sec. 8. There is added to chapter 43.52 RCW a new section to read as follows:

For the purposes of this chapter, including but not limited to RCW 43.52.343, the best interests of all ratepayers affected by the joint operating agency and its projects shall determine the interest of the operating agency and its board.

NEW SECTION. Sec. 9. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "agencies;" strike the remainder of the title and insert "amending section 43.52.250, chapter 8, Laws of 1965 as last amended by section 1, chapter 1, Laws of 1981 1st ex. sess. and RCW 43.52.250; amending section 43.52.370, chapter 8, Laws of 1965 as last amended by section 1, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.370; amending section 2, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.374; amending section 43.52.375, chapter 8, Laws of 1965 as amended by section 3, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.375; amending section 1, chapter 220, Laws of 1979 ex. sess. as amended by section 4, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.378; adding new sections to chapter 43.52 RCW; creating a new section; and declaring an emergency."

Signed by: Senators Gould, Chairman; McCaslin, Vice Chairman; Fuller, Hemstad, Newhouse, Wilson.

The bill was read the second time by sections.

Senator Gould moved adoption of the committee amendment.

POINT OF INQUIRY

Senator Quigg: "Senator Gould, on page 5 of the striking amendment the language 'or sell' is stricken; and the words 'terminate or decommission' inserted. And

then some other language about 'the board of directors has made a final decision regarding a nuclear power plant, the executive board . . . shall have the authority to make all subsequent decisions regarding the plant and any of its components; . . .'

"What does that mean in English?"

Senator Gould: "Well, if you are concerned about whether or not they can sell, if you look on line 31, it says that they will have 'All other powers and duties of the operating agency, including without limitation authority for all actions subsequent to final decisions by the board of directors, . . .' I guess I don't know specifically what your question is trying to get at."

Senator Quigg: "Senator Gould, if the plants were to be sold, who would sell them, the executive board, the participants' committee, the full board?"

Senator Gould: "The executive board would."

Senator Quigg: "Thank you."

Senator Williams moved the following amendments by Senators Williams, Quigg, Wilson and McCaslin to the committee amendment be considered and adopted simultaneously:

On page 5, line 24 strike "(1)(a)"

On page 6, line 33, strike "~~((including))~~ except for" and insert "including"

On page 7, beginning on line 2, strike "~~((board of directors))~~ governor and confirmed by the senate" and insert "board of directors"

On page 7, beginning on line 9, strike "~~((board of directors shall choose by lot))~~ governor shall appoint" and insert "board of directors shall choose by lot"

On page 7, beginning on line 22, strike "~~((may be paid additional compensation as established by the board of directors))~~ shall receive a salary from the operating agency as fixed by the governor" and insert "may be paid additional compensation as established by the board of directors"

On page 8, beginning on line 13, strike "~~((The president of the board of directors shall be a nonvoting member of the executive board and shall serve as the presiding officer of the executive board:))~~ The governor may remove outside directors from the executive board for incompetency, misconduct, or malfeasance in office in the same manner as state appointive officers under chapter 43.06 RCW. For purposes of this section, misconduct shall include, but not be limited to, nonfeasance and misfeasance." and insert "The President of the board of directors shall be a nonvoting member of the executive board and shall serve as the presiding officer of the executive board."

On page 9, beginning on line 36, strike "~~((board of directors))~~ governor" and insert "board of directors"

Debate ensued.

POINT OF INQUIRY

Senator Patterson: "Senator Hemstad, I listened very carefully and we have two attorneys on the floor that I spent a great deal of time listening to and you are now in debate over amendment 60 of the state Constitution.

"I have had, from the outset of this legislation, a concern for the potential liability of the state of Washington and this body and the House in the fiscal liabilities that have been created through WPPSS.

"Can you respond to the statement that Senator Talmadge made on our liability in this issue?"

Senator Hemstad: "Thank you, Senator Patterson. Amendment 60, it seems to me, is proof the other way around, not as Senator Talmadge suggests, but demonstrates that the state does not assume liability. Amendment 60 is the mechanism that says that the state cannot have debt exceeding 9% of the mean general state revenues for the three prior fiscal years. If the state were to assume, accidentally,

responsibility for the large WPPSS' debt, of course it would be exceeding those constitutional limits, but it would be beyond the constitutional authority of the state to take on that debt, which simply confirms the statements in this legislation and already in state law, that the state has no responsibility for the WPPSS' liability.

"This legislature could not, under our Constitution, be assuming that obligation. Again this is a matter of state law, state law controls. The only way that federal law comes into it if there was some constitutional question that is going to arise, and there is none in this context of the situation whatsoever. There can be federal constitutional problems with regard to the interest of the bondholders, but there are none with regard to the relationship between WPPSS, the PUDS, and the state because they are purely agents of the state and that is not, in any way, a matter of Federal law."

POINT OF INQUIRY

Senator Wilson: "Now that Senator Hemstad's opinion has been entered in the journal, I think it would be fair to ask Senator Talmadge if he would like to comment on the same topic."

Senator Talmadge: "Thank you, Senator Wilson. In response to your question, I guess I still fundamentally disagree with Senator Hemstad about this. You take a look at the language of the 60th amendment and if the state backs up the bonds of WPPSS, if the state undertakes that responsibility on behalf of the language of any state debt, 'The full faith, credit, and taxing power of the state of Washington are pledged to the payment of the debt created on behalf of the state pursuant to this section and the legislature shall provide by appropriation for the payment of the interest upon and the installments of principal of all such debt as the same falls due, but in any event, any court of record may compel such payment.'

"The fact of the matter is, by creating the WPPSS' executive board, by having the Governor of the state of Washington appoint the directors of that executive board, subject to confirmation of the state Senate, there's no other nonstate agency, to my knowledge—unless somebody else out here on the floor can demonstrate one—that has that kind of executive board created by the action of the legislature.

"I would submit that is an action by the state and, in fact, that gives us at least the risk of pledging the full faith and taxing power of the state of Washington to the payment of the debt of that board which has now become a state agency via the way we have organized the agency."

Further debate ensued.

POINT OF INQUIRY

Senator Lee: "Senator Gould, Senator Hurley mentioned one of the stipulations within the statute itself, regarding protection from state liability. Are there any further protections against that kind of liability in the bill?"

Senator Gould: "Thank you, Senator Lee, for giving me the opportunity to respond. Besides the disclaimer that Senator Hurley referred to, there are three or four other things that happened. A simple gubernatorial appointment, despite Senator Talmadge's statement, does not establish liability as Senator Newhouse mentioned. We also have the case of the state hospital commission where the Governor makes the appointments and they are not liable.

"In the state of New York they have a New York power authority which is quite directly, it is appointed by the Governor and directly related to the Governor and they do not have the liability.

"So there is precedence doing this without state liability.

"Secondly, the gubernatorial appointments are in the minority, there are only four out of eleven. Even the House bill which had five out of nine, the majority were

gubernatorial appointments. There was an informal letter from the AG indicating even in that case, there would not be state liability.

"And finally, in the bill, it states the Governor makes the appointments, but they are only removable for cause, they are not removable at the whim of the Governor or at his decision. It is only for cause and that is very specific in the bill."

Further debate ensued.

Senator Moore demanded a roll call and the demand was sustained.

President Pro Tempore Guess declared the question before the Senate to be the roll call on the amendments by Senators Williams, Quigg, Wilson and McCaslin to the committee amendment.

ROLL CALL

The Secretary called the roll and the amendments to the amendment were adopted by the following vote: Yeas, 28; nays, 20; excused, 1.

Voting yea: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Kiskaddon, Lysen, McCaslin, McDermott, Metcalf, Moore, Peterson, Pullen, Quigg, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—28.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Lee, Newhouse, Patterson, Scott, Sellar, von Reichbauer, Zimmerman—20.

Excused: Senator Talley—1

On motion of Senator Quigg, there being no objection, an amendment to page 5, lines 3 and 4, of the committee amendment, on the desk of the Secretary of the Senate, was withdrawn.

Senator Quigg moved adoption of the following amendment to the committee amendment:

On page 5, line 35, after "directors," insert "including but not limited to the authority to sell any power plant, works, and facilities"

POINT OF INQUIRY

Senator McCaslin: "Senator Quigg, could you explain to the back row here why, under sub (a) they can do everything; purchase, acquire, construct, terminate, or decommission; but you didn't insert 'sell back' in there but you added it down below. What's the legal reason for that?"

Senator Quigg: "Senator McCaslin, under sub (a) we are talking about the powers of the full board, and in the area where this amendment is being . . . we are talking about the powers of the executive board. And when we are dealing in the assets of the very special type that these are and with the kinds of dollars that we are dealing with, I think it's important to have the expertise of the outside directors as well as the voting power of the utility districts' majority to see to it that the full value be received for the ratepayers and bondholders. So these are people, this is where the executive board outside directors would be having some real critical input on what goes on in the world of high finance and international energy, because that is really the kind of a market where these sources, assets would be marketable. So I think that is the reason to put them with the executive boards."

Senator McCaslin: "Thank you very much, Senator Quigg. I certainly support you in this amendment and would hope the body would be behind you on this. Thank you."

The motion by Senator Quigg carried and the amendment to the committee amendment was adopted.

Senator Lysen moved adoption of the following amendment by Senators Lysen, Vognild, Williams and Haley to the committee amendment:

On page 8, line 12, after "assets," insert "Notwithstanding any other provisions of this 1982 act, at least one of the outside directors shall be a representative of a consumer advocacy organization organized pursuant to chapter 24.03 RCW for purposes of representing residential electric utility ratepayers."

On motion of Senator Quigg, there being no objection, his name was removed as one of the sponsors of the amendment by Senators Lysen, Vognild, Williams and Haley to the committee amendment.

POINT OF INQUIRY

Senator Hayner: "Senator Lysen, it seems to me we are all ratepayers in some way or another if we have electricity at all. What kind of ratepayer groups? Are you going to say that everyone on this side of the aisle is a ratepayer group? It seems to me that if you want to deal with that, it has to be more specific than what you have said there."

Senator Lysen: "Well, do you have a suggestion, possibly to improve it? But the idea is that these would be bona fide groups that have taken an active part now, by going through the process of incorporation under this particular RCW and they would put up nominees or someone that they would select. But the board would not necessarily have to, they could choose anyone I suppose, from those groups. But I would expect that they would probably honor their requests or at least pick from a group of nominees that they would put up, to put this type of person on the board."

"We are also providing the other people would be from corporate management, big business backgrounds like we had in the recent experience."

"But this would be to add one person from a ratepayer/consumer/activist kind of group that have recently become active. And it doesn't have to be real strictly structural or mechanical, I think it can be worked out in a rather broad way, which is how I tried to draw this amendment to do."

"If you have a suggestion, I would be open for a friendly amendment."

Debate ensued.

Senator McDermott demanded a roll call and the demand was sustained.

President Pro Tempore Guess declared the question before the Senate to be the roll call on the amendment by Senators Lysen, Vognild, Williams and Haley to the committee amendment.

ROLL CALL

The Secretary called the roll and the amendment to the committee amendment was not adopted by the following vote: Yeas, 21; nays, 26; absent or not voting, 1; excused, 1.

Voting yea: Senators Bauer, Charnley, Conner, Fleming, Gaspard, Haley, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wojahn, Woody—21.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Goltz, Gould, Guess, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, Wilson, Zimmerman—26.

Absent or not voting: Senator Bottiger—1.

Excused: Senator Talley—1.

Senator Lysen moved the following amendments to the committee amendment be considered and adopted simultaneously:

On page 18, line 29, following "9." strike the remainder of the section and insert "This act shall be submitted to the people for their adoption and ratification, or rejection, at the next succeeding general election to be held in this state, in

accordance with Article II, section 1 of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof."

On page 19, line 28, following "and" strike the remainder of the sentence and insert "providing a referendum."

On motion of Senator Lysen, there being no objection, the amendments to the committee amendment were withdrawn.

Senator Talmadge moved adoption of the following amendment by Senators Talmadge, Rasmussen, Hughes, Quigg, Lysen and Pullen to the committee amendment:

On page 11, following line 25, add a new section to read as follows:

"Sec. 9. Section 2, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.020 are each amended to read as follows:

As used in this chapter unless the context indicates otherwise:

(1) "Public agency" means:

(a) Any state board, commission, committee, department, educational institution, or other state agency which is created by or pursuant to statute, other than courts and the legislature(;;);

(b) Any county, city, school district, special purpose district, or other municipal corporation or political subdivision of the state of Washington;

(c) Any subagency of a public agency which is created by or pursuant to statute, ordinance, or other legislative act, including but not limited to planning commissions, library or park boards, and other boards, commissions, and agencies;

(d) Any policy group whose membership includes representatives of publicly owned utilities formed by or pursuant to the laws of this state when meeting together as or on behalf of participants who have contracted for the output of generating plants being planned or built by an operating agency.

(2) "Governing body" means the multimember board, commission, committee, council, or other policy or rule-making body of a public agency.

(3) "Action" means the transaction of the official business of a public agency by a governing body including but not limited to a collective decision made by a majority of the members of a governing body, a collective commitment or promise by a majority of the members of a governing body to make a positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance.

(4) "Meeting" means meetings at which action is taken."

Re-number the remaining sections consecutively.

On motion of Senator Talmadge, any member wishing to be added as a sponsor may do so. Senators Lysen and Pullen were added as additional sponsors.

POINT OF INQUIRY

Senator Lysen: "Senator Talmadge, do you have any instances in mind where this has been a problem? I remember one lawsuit, as I recall, a few years ago, but . . . I don't remember the exact issue."

Senator Talmadge: "I don't remember the exact issue contained in that lawsuit, Senator Lysen, but my recollection was that there was a controversy about six months to a year ago about whether or not the participants' committee was open to the media in the same fashion that any other public agency would be open. This would simply make clear that the participants committee is, in fact, an agency subject to the open meetings act."

Senator Lysen: "So they would also have the exceptions for real estate purchases and personnel matters would, in terms of hiring, reviewing personnel, that exemption that applies to local government would also apply to WPPSS?"

Senator Talmadge: "Yes, the very same exceptions."

The motion by Senator Talmadge carried and the amendment to the committee amendment was adopted.

The motion by Senator Gould carried and the committee amendment, as amended, was adopted.

Senator Gould moved adoption of the committee amendment to the title.

On motion of Senator Talmadge, the following amendment to the committee amendment to the title was adopted:

On page 1, line 11 of the title, following "374;" insert "amending section 2, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.020;"

The motion by Senator Gould carried and the committee amendment to the title, as amended, was adopted.

On motion of Senator Gould, the rules were suspended, Engrossed Substitute House Bill No. 1217, 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 Lysen: "Senator Gould, in 1975 we passed a bill in the legislature, unanimously, as I recall or almost unanimously, that gave the local PUD commissioners complete immunity in the conduct of their actions. And now the ratepayers cannot seek any redress against them.

"I am concerned that we may have the same problem here. With authority goes responsibility and when you make them immune from their responsibility or their liability from the conduct of their responsibility, I am concerned about that; and they do have insurance that the Supply System pays for to cover them in case there is a lawsuit or some liability problem.

"I guess my question is 'Why should they be totally liable, totally immune statutorily, and why isn't the insurance normal . . . in the way corporate executives are covered, and other people in positions like this?' Why wouldn't that be an adequate and appropriate way to handle this liability problem?"

Senator Gould: "Mr. President, Senator Lysen. The way it is devised in the bill is very appropriate, is very much like it is done in other agencies or incorporations of this kind. The reason for it, I think no one can compete with the magnitude of the problems in WPPSS, but let me at least try to give you a microcosm of the same kind of a problem that I found when I was a member of the school board. And that was when you are making some very difficult decisions that have many ramifications, you don't want to be impeded by the possibility that, although you are making a decision in the best interest of the district, or in this case in the best interest of the Supply System, but somebody may sue you for everything you have. You have got to be able to make decisions based on what is in the best interest of that organization, not on your own personal interests.

"I think we can extend that to another issue on this bill and that is that there is a very strong conflict of interest statement here, that says when members serve on the executive board of the Supply System, they have to represent the ratepayers of the whole state, and not just the ratepayers of their district and those two are tied very closely together and I think they are very vital, in order to make the best decisions for the whole system rather than those which they may have some personal interest or only for their district."

POINT OF INQUIRY

Senator Hemstad: "Senator Gould, this bill allows the legislature to place one or two nonvoting observers on the executive board. It would allow the observer to participate in all meetings and discussions. Would that include executive sessions?"

Senator Gould: "Mr. President, Senator Hemstad. No, it wouldn't. We wanted to clarify this issue. Unless the board invited the observers to sit with it in executive session and the intent is to give the observer, as I mentioned before, the same role as the BPA observer has now; but they would not participate in executive sessions unless we invited them."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1217, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 40; nays, 8; excused, 1.

Voting yea: Senators Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Jones, Kiskaddon, Lee, McCaslin, McDermott, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—40.

Voting nay: Senators Bauer, Goltz, Hurley, Lysen, Metcalf, Moore, von Reichbauer, Zimmerman—8.

Excused: Senator Talley—1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1217, 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 Clarke, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

March 17, 1982.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 4492, with the following amendments originally adopted March 10, 1982 and amended March 17, 1982; and adopted as amended:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Section 1. There is added to chapter 46.16 RCW a new section to read as follows:

(1) To renew a vehicle license, an applicant shall satisfy the fines, including penalties, relating to all standing, stopping, and parking violations for the vehicle incurred while the vehicle was registered in the applicant's name and forwarded to the department pursuant to RCW 46.20.270(3) since the vehicle's license was last issued or renewed. The renewal application may be processed by the director or his agents only if the applicant both:

(a) Presents a preprinted renewal application, or in the absence of such presentation, the agent, at his discretion, verifies the information which would be contained on the preprinted renewal application; and

(b) Presents either proof of payment on a form provided by the department or payment of the total standing, stopping, and parking fines stated on the preprinted renewal application and, in the case of payment, payment of a twenty-five percent surcharge on such fines, including penalties.

(2) The twenty-five percent surcharge referred to in subsection (1) of this section shall be allocated as follows:

(a) Eighty percent to the department of licensing; and

(b) Twenty percent to the agent handling the renewal application to be used by the agent for the administration of this section.

(3) All fines and surcharges collected under subsection (1) of this section, with the exception of twenty percent of the surcharge collected by and for the agent, shall be forwarded to the director with a proper identifying detailed report, who shall transmit the accounts from fines to the local charging jurisdictions. Amounts from the percentage of the surcharge received shall be deposited in the general fund to be used exclusively for the administrative costs of the department of licensing and its agents in implementing this section.

(4) If there is a change in the registered owner of the vehicle, the department shall forward such information regarding the change to the local charging jurisdiction and release any hold on the renewal of the vehicle license resulting from standing, stopping, and parking violations incurred while the certificate of license registration was in a prior registered owner's name.

(5) The department shall send to all registered owners of vehicles who have been reported to have outstanding standing, stopping, and parking violations, at the time of renewal, a statement listing the dates and jurisdictions in which the violations occurred as well as the amounts of unpaid fines and the surcharge to be collected. The preprinted renewal application shall state the total amount of such fines and of the surcharge.

Sec. 2. Section 8, chapter 136, Laws of 1979 ex. sess. as amended by section 1, chapter 128, Laws of 1980 and RCW 46.63.060 are each amended to read as follows:

(1) A notice of traffic infraction represents a determination that an infraction has been committed. The determination will be final unless contested as provided in this chapter.

(2) The form for the notice of traffic infraction shall be prescribed by rule of the supreme court and shall include the following:

(a) A statement that the notice represents a determination that a traffic infraction has been committed by the person named in the notice and that the determination shall be final unless contested as provided in this chapter;

(b) A statement that a traffic infraction is a noncriminal offense for which imprisonment may not be imposed as a sanction; that the penalty for a traffic infraction may include sanctions against the person's driver's license including suspension, revocation, or denial; that the penalty for a traffic infraction related to standing, stopping, or parking may include nonrenewal of the vehicle license;

(c) A statement of the specific traffic infraction for which the notice was issued;

(d) A statement of the monetary penalty established for the traffic infraction;

(e) A statement of the options provided in this chapter for responding to the notice and the procedures necessary to exercise these options;

(f) A statement that at any hearing to contest the determination the state has the burden of proving, by a preponderance of the evidence, that the infraction was committed; and that the person may subpoena witnesses including the officer who issued the notice of infraction;

(g) A statement that at any hearing requested for the purpose of explaining mitigating circumstances surrounding the commission of the infraction the person will be deemed to have committed the infraction and may not subpoena witnesses;

(h) A statement that the person must respond to the notice as provided in this chapter within ~~((seven))~~ fourteen days or the person's driver's license will not be renewed by the department until any penalties imposed pursuant to this chapter have been satisfied;

(i) A statement that failure to appear at a hearing requested for the purpose of contesting the determination or for the purpose of explaining mitigating circumstances will result in the refusal of the department to renew the person's driver's license, or in the case of a standing, stopping, or parking violation the vehicle license, until any penalties imposed pursuant to this chapter have been satisfied;

(j) A statement, which the person shall sign, that the person promises to respond to the notice of infraction in one of the ways provided in this chapter;

(k) A statement in at least ten-point bold-face type that failure to respond to a notice of infraction as promised is a misdemeanor and may be punished by a fine or imprisonment in jail.

Sec. 3. Section 9, chapter 136, Laws of 1979 ex. sess. as amended by section 2, chapter 128, Laws of 1980 and RCW 46.63.070 are each amended to read as follows:

(1) Any person who receives a notice of traffic infraction shall respond to such notice as provided in this section (~~((within seven))~~) not later than fourteen days ((of)) after the date of the notice.

(2) If the person determined to have committed the infraction does not contest the determination the person shall respond by completing the appropriate portion of the notice of infraction and submitting it, either by mail or in person, to the court specified on the notice. A check or money order in the amount of the penalty prescribed for the infraction must be submitted with the response. When a response which does not contest the determination is received, an appropriate order shall be entered in the court's records, and a record of the response and order shall be furnished to the department in accordance with RCW 46.20.270.

(3) If the person determined to have committed the infraction wishes to contest the determination the person shall respond by completing the portion of the notice of infraction requesting a hearing and submitting it, either by mail or in person, to the court specified on the notice. The court shall notify the person in writing of the time, place, and date of the hearing, and that date shall not be sooner than ~~((seven))~~ fourteen days from the date of the notice, except by agreement.

(4) If the person determined to have committed the infraction does not contest the determination but wishes to explain mitigating circumstances surrounding the infraction the person shall respond by completing the portion of the notice of infraction requesting a hearing for that purpose and submitting it, either by mail or in person, to the court specified on the notice. The court shall notify the person in writing of the time, place, and date of the hearing.

(5) (a) If any person issued a notice of traffic infraction:

(i) Fails to respond to the notice of traffic infraction as provided in subsection (2) of this section; or

(ii) Fails to appear at a hearing requested pursuant to subsection (3) or (4) of this section;

the court shall enter an appropriate order assessing the monetary penalty prescribed for the traffic infraction and any other penalty authorized by this chapter and shall notify the department in accordance with RCW 46.20.270, of the failure to respond to the notice of infraction or to appear at a requested hearing.

(b) The department may not renew the driver's license, or in the case of a standing, stopping, or parking violation the vehicle license, of any person for whom the court has entered an order pursuant to (a) of this subsection until any penalties imposed pursuant to this chapter have been satisfied. For purposes of driver's license nonrenewal only, the lessee of a vehicle shall be considered to be the person to whom a notice of a standing, stopping, or parking violation has been issued for such violations of the vehicle incurred while the vehicle was leased or rented under a bona fide commercial lease or rental agreement between a lessor engaged in the business of leasing vehicles and a lessee who is not the vehicle's registered owner, if the lease agreement contains a provision prohibiting anyone other than the lessee from operating the vehicle. Such a lessor shall, upon the request of the municipality issuing the notice of infraction, supply the municipality with the name and driver's license number of the person leasing the vehicle at the time of the infraction.

Sec. 4. Section 13, chapter 10, Laws of 1982 and RCW 46.63.110 are each amended to read as follows:

(1) A person found to have committed a traffic infraction shall be assessed a monetary penalty. No penalty may exceed two hundred and fifty dollars for each offense unless authorized by this chapter or title.

(2) The supreme court may prescribe by rule a schedule of monetary penalties for designated traffic infractions.

(3) There shall be a penalty of twenty-five dollars for failure to respond to a notice of traffic infraction except where the infraction relates to (~~overtime~~) parking as defined by local law, ordinance, regulation, or resolution or failure to pay a monetary penalty imposed pursuant to this chapter. (~~The monetary penalty for failure to respond to a notice of a traffic infraction relating to overtime parking as defined by local law, ordinance, regulation, or resolution shall be set by the local legislative body which originally enacted the local law, ordinance, regulation, or resolution creating the parking offense.~~) A local legislative body may set a monetary penalty not to exceed twenty-five dollars for failure to respond to a notice of traffic infraction relating to parking as defined by local law, ordinance, regulation, or resolution. The local court, whether a municipal, police, or district court (~~may~~) shall impose the monetary penalty set by the local legislative body. (~~Such locally set~~) Any monetary penalty imposed under this subsection is not subject to the statutory assessments applicable to traffic offenses, including but not limited to the assessments required by RCW 46.81.030 (~~and~~), 43.101.210 (~~and related court rules~~), 2.56-.100, 3.62.080, and 13.40.260.

(4) Monetary penalties provided for in chapter 46.70 RCW which are civil in nature and penalties which may be assessed for violations of chapter 46.44 RCW relating to size, weight, and load of motor vehicles are not subject to the limitation on the amount of monetary penalties which may be imposed pursuant to this chapter.

(5) Whenever a monetary penalty is imposed by a court under this chapter it is immediately payable. If the person is unable to pay at that time the court may, in its discretion, grant an extension of the period in which the penalty may be paid. If the penalty is not paid on or before the time established for payment the court shall notify the department of the failure to pay the penalty and the department may not renew the person's driver's license, or after July 1, 1984, in the case of a standing, stopping, or parking violation, the vehicle license, until the penalty has been paid and the penalty provided in subsection (3) of this section has been paid.

(6) There shall be levied and paid into the general fund of the state treasury, a five-dollar fee in addition to the monetary penalty imposed for a traffic infraction other than a parking, standing, stopping, or pedestrian infraction. The five-dollar fee shall not be suspended by the court.

Sec. 5. Section 46.20.270, chapter 12, Laws of 1961 as last amended by section 58, chapter 136, Laws of 1979 ex. sess. and RCW 46.20.270 are each amended to read as follows:

(1) Whenever any person is convicted of any offense for which this title makes mandatory the suspension or revocation of the driver's license of such person by the department, the privilege of the person to operate a vehicle is suspended until the department takes the action required by this chapter, and the court in which such conviction is had shall forthwith secure the immediate forfeiture of the driver's license of such convicted person and immediately forward such driver's license to the department, and on failure of such convicted person to deliver such driver's license the judge shall cause such person to be confined for the period of such suspension or revocation or until such driver's license is delivered to such judge: **PROVIDED,** That if the convicted person testifies that he or she does not and at the time of the offense did not have a current and valid vehicle driver's license, the judge shall cause

such person to be charged with the operation of a motor vehicle without a current and valid driver's license and on conviction punished as by law provided, and the department may not issue a driver's license to such persons during the period of suspension or revocation: PROVIDED, ALSO, That if the driver's license of such convicted person has been lost or destroyed and such convicted person makes an affidavit to that effect, sworn to before the judge, the convicted person may not be so confined, but the department may not issue or reissue a driver's license for such convicted person during the period of such suspension or revocation: PROVIDED, That perfection of notice of appeal shall stay the execution of sentence including the suspension and/or revocation of the driver's license.

(2) Every court having jurisdiction over offenses committed under this chapter, or any other act of this state or municipal ordinance adopted by a local authority regulating the operation of motor vehicles on highways, or any federal authority having jurisdiction over offenses substantially the same as those set forth in Title 46 RCW which occur on federal installations within this state, shall forward to the department within ten days of a forfeiture of bail or collateral deposited to secure the defendant's appearance in court, a payment of a fine or penalty, a plea of guilty or a finding of guilt, or a finding that any person has committed a traffic infraction an abstract of the court record in the form prescribed by rule of the supreme court, showing the conviction of any person or the finding that any person has committed a traffic infraction in said court for a violation of any said laws other than regulations governing standing, stopping, parking, and pedestrian offenses.

(3) Every municipality having jurisdiction over offenses committed under this chapter, or any other act of this state or municipal ordinance adopted by a local authority regulating the operation of motor vehicles on highways, may forward to the department within ten days of failure to respond, failure to pay a penalty, failure to appear at a hearing to contest the determination that a violation of any statute, ordinance, or regulation relating to standing, stopping, or parking, or failure to appear at a hearing to explain mitigating circumstances, an abstract of the citation record in the form prescribed by rule of the department, showing the finding by such municipality that three or more violations of laws governing standing, stopping, and parking have been committed and indicating the nature of the defendant's failure to act. Such violations may not have occurred while the vehicle is stolen from the registered owner or is leased or rented under a bona fide commercial vehicle lease or rental agreement between a lessor engaged in the business of leasing vehicles and a lessee who is not the vehicle's registered owner. The department may enter into agreements of reciprocity with the duly authorized representatives of the states for reporting to each other violations of laws governing standing, stopping, and parking.

(4) For the purposes of Title 46 RCW the term "conviction" means a final conviction in a state or municipal court or by any federal authority having jurisdiction over offenses substantially the same as those set forth in Title 46 RCW which occur on federal installations in this state, an unvacated forfeiture of bail or collateral deposited to secure a defendant's appearance in court, the payment of a fine, a plea of guilty, or a finding of guilt on a traffic law violation charge, regardless of whether the imposition of sentence is deferred or the penalty is suspended.

((+)) (5) For the purposes of Title 46 RCW the term "finding that a traffic infraction has been committed" means a failure to respond to a notice of infraction or a determination made by a court pursuant to this chapter. Payment of a monetary penalty made pursuant to RCW 46.63.070(2) is deemed equivalent to such a finding.

NEW SECTION. Sec. 6. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 7. Sections 1, 2, 3, and 5 of this act shall take effect July 1, 1984, and shall apply to standing, stopping, and parking violations committed on or after July 1, 1984."

On page 1, line 1 of the title after "penalties;" strike the remainder of the title and insert "amending section 8, chapter 136, Laws of 1979 ex. sess. as amended by section 1, chapter 128, Laws of 1980 and RCW 46.63.060; amending section 9, chapter 136, Laws of 1979 ex. sess. as amended by section 2, chapter 128, Laws of 1980 and RCW 46.63.070; amending section 13, chapter 10, Laws of 1982 and RCW 46.63.110; amending section 46.20.270, chapter 12, Laws of 1961 as last amended by section 58, chapter 136, Laws of 1979 ex. sess. and RCW 46.20.270; adding a new section to chapter 46.16 RCW; prescribing penalties; and providing an effective date.", and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

Senator Hemstad moved the Senate concur in the House amendments to Engrossed Senate Bill No. 4492.

POINT OF INQUIRY

Senator Shinpoch: "Senator Hemstad, maybe I misunderstood what the House did. It was my understanding that what they did was amend House Bill 268 on to 4492, and that we just passed 268 yesterday, and I don't understand why it is that you are wanting us to concur in the second passage of 268 as it's incorporated in 4492.

Senator Hemstad: "Because thereby it will end the issue and will be done with it; otherwise if we refuse to concur, we send it back, we are refusing to concur in an amendment which is a form of a bill that we have just adopted."

Senator Shinpoch: "That is too convoluted for me. Could we just have some old 'farmer talk?' (Number) 268 has already passed. Do we agree on that?"

Senator Hemstad: "It passed the Senate."

Senator Shinpoch: "It passed the Senate, and it is a House bill."

Senator Hemstad: "Back over there for various kinds of concurrences; but they are sending it to us in the form, essentially in the form that we passed it here the other day. They are giving back to us essentially as an amendment to our bill, the form of the bill that we passed out of here the other day."

Senator Shinpoch: "We have had this laying on our desks now since, well, March 19 was this latest concurring calendar, and I am sure that I can probably find one before that that had it on it. We have had it around here quite a while and we just passed 268 over to them. So they are now asking us to do something in relationship to what we have just done, because if they want 268 all they have to do is accept it."

REMARKS BY SENATOR CLARKE

Senator Clarke: "I think, actually, that the main differences are with respect to 4492 which had to do with straightening out this \$25.00 penalty. And my recollection is that we made some corrections in that bill which are preferable to that which the House did, the way they handled it. So, in substance, if we simply pass, or concur with the House and pass this, I think then that we have the bill relating to both subjects in the way that the Senate desired to have it set forth. Senator Hemstad is more conversant with those details than I am, but I think that is where your primary differences lie, is with respect to what we did on 4492."

REMARKS BY SENATOR HEMSTAD

Senator Hemstad: "Senator Clarke is correct and 4492 is somewhat different subject and so if we want both bills passed, and both of them have passed this house already, at that point, they will both go to the Governor."

REMARKS BY SENATOR NEWHOUSE

Senator Newhouse: "I find myself in disagreement with some of the people on my side. (Number) 268 as amended or as the bill, either one, in my opinion, is a bad bill, and tacking it on to a pretty good little bill doesn't make it any better.

"And to me, procedurally, the House can do as it will with 268 and if we vote down this motion to concur, we would, in effect, have not concurred and we would have the basic good little bill and not have the excess baggage on it."

POINT OF ORDER

Senator Rasmussen: "Mr. President, I would raise the scope and object on the House amendment that they are asking us to concur with; and Mr. President, I think you have an opinion up there on the desk regarding this. . . . I am raising scope and object, Mr. President.

"Mr. President, trying to be courteous to Senator Clarke, I withdrew my scope and object at the time this was before the body. Senator Clarke, at that time, indicated that they were not going to leave this attached to it and he would have the judicial council bill that he so desired.

"And I find out now that I have been double-crossed and I am again raising the scope and object, Mr. President, and if you will inquire of the President of the Senate, you will find there is an opinion on that."

Senator Clarke: "I rather resent the Senator's suggestion that I have double-crossed him. But the question is very obvious, it has to do with a very significant difference of opinion here on this question that relates to the House amendment. The Senate did pass that bill after debate, so it has already passed this body.

"Now, we think we did a better job on 4492 in handling the other portion, and for that reason, I personally would suggest that Senator Hemstad withdraw his motion to concur, but I don't want to lose 4492 which I think is a good bill and I think the Senate did a better job than the House. So if Senator Hemstad would desire to change, that would remove your scope and object problem."

Senator Hemstad: "Mr. President, with the consent of the body, I will withdraw my motion to concur in House amendments and move not to concur in the House amendments to Senate Bill 4492."

President Pro Tempore Guess: "Senator Hemstad had moved to withdraw his motion. Hearing no objection it is so ordered. Senator Hemstad had moved that we do not concur. Senator Rasmussen."

Senator Rasmussen: "I wish to withdraw my motion on scope and object and if anyone got the inference that it was Senator Clarke that double-crossed me, I want to withdraw that also."

President Pro Tempore Guess: "Senator Rasmussen, you are doubly withdrawn."

Senator Rasmussen: "Thank you, Mr. President."

Senator Clarke: "To reassure Senator Rasmussen, I move that his withdrawal be without prejudice and could be renewed in the event that the Senate should vote the other way so that I"

President Pro Tempore Guess: "Senator Shinpoch."

REMARKS BY SENATOR SHINPOCH

Senator Shinpoch: "Well, Mr. President, I am going to raise scope and object on the amendment, and let me, if I could speak on that, please.

"Mr. President, I would like to explain. Under the ruling of Lieutenant Governor Cherberg, that if we do not accept the motion to not concur, we have, in effect, concurred and we have lost the chance to raise scope and object on the amendment.

"(I am getting a lot of words from people.) Am I getting assurance from the leadership on that side, if the motion to not concur fails, then we have an option and you will help us suspend the rules and scope and object the amendment?"

REPLY BY SENATOR CLARKE

Senator Clarke: "A motion primarily, so that the body as a body, not only has my assurance but I move that the body rule that it be without prejudice with the right to renew."

Senator Shinpoch: "Well, Senator Clarke, the problem is that I am an old farm boy, and I don't understand 'without prejudice.' I do understand, though, that you have assured us that we can . . . Thank you."

Senator Clarke: "That's right."

The motion by Senator Hemstad carried and the Senate refused to concur in the House amendments to Engrossed Senate Bill No. 4492 and asks the House to recede therefrom.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Goltz served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Substitute House Bill No. 1102, as amended by the Senate, failed to pass the Senate today.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side and having served prior notice, Senator Zimmerman moved the Senate reconsider the vote by which Substitute House Bill No. 1053, as amended by the Senate, failed to pass on March 22, 1982.

MOTION

On motion of Senator Clarke, the motion for reconsideration on Substitute House Bill No. 1053, as amended by the Senate, was ordered held for consideration on March 24, 1982.

POINT OF INQUIRY

Senator Bottiger: "Senator Clarke, I understand the negotiations are going on and that House Bill 796 will be on the calendar for tomorrow? I'm asking, not moving or anything."

Senator Hayner: (House Bill) 796 will be on the calendar soon, I can't guarantee it will be on tomorrow. As soon as the negotiations are completed."

Senator Bottiger: "I understand they are still not completed?"

(No Reply)

MOTION

At 4:30 p.m., on motion of Senator Clarke, the Senate adjourned until 10:00 a.m., Wednesday, March 24, 1982.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

THIRTEENTH DAY

MORNING SESSION

Senator Chamber, Olympia, Wednesday, March 24, 1982.

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 Talley. There being no objection, Senator Talley was excused.

The Color Guard, consisting of Pages Cynthia Story and Mark Weber, presented the Colors. Reverend Wallace F. Misterek, pastor of Trinity Lutheran Church of Olympia, offered the prayer.

MOTION

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

MOTION

Senator Clarke moved the following measures be returned to the Committee on Rules:

Senate Bill 4661, Senate Bill 4264, House Bill 935, Senate Bill 4565 and Senate Bill 3405.

POINT OF INQUIRY

Senator Williams: "Senator Clarke, 4565 is a bill that relates to fees, user fees and contains an appropriation. What is the explanation for that one going back to rules?"

Senator Hayner: (Responding) "Mr. President, in reference to your inquiry, Senator Williams, I think your side requested that 960 be considered. House Bill 960 is still in the House and 4565 is the Senate bill, but the House bill did pass the House and was over here in our rules. Now if they return it to us, we will consider 960."

POINT OF INQUIRY

Senator Charnley: "Senator Clarke, or Senator Hayner, there's one bill I don't see on here which was pulled from rules, the child restraint bill, 4548. I was wondering why that one does not appear on the calendar. It has been a number of days since it was pulled from rules, and it has still not appeared."

Senator Hayner: "It will be on the calendar."

Senator Charnley: "It is on the calendar?"

Senator Hayner: "Yes. We will have to have a joint resolution, however, to bring some life into that and I have no objection to that. When we consider it, that will have to be done."

Senator Charnley: "I appreciate that very much. Thank you."

The motion by Senator Clarke carried and the measures were returned to the Committee on Rules.

MOTION

On motion of Senator Clarke, the Senate advanced to the eighth order of business.

On motion of Senator Clarke, the Senate commenced consideration of Senate Resolution 1982—213.

President Cherberg turned the gavel over to President Pro Tempore Guess.

APPOINTMENT OF SPECIAL COMMITTEE

President Pro Tempore Guess appointed Senators Hayner, Clarke, Fuller, Zimmerman, Quigg, Goltz, Wilson, Hansen, Scott and Hurley as a committee of honor to escort the honored guests to the Senate rostrum.

On motion of Senator Jones, the following resolution was unanimously adopted:

SENATE RESOLUTION 1982—213

By Senators Guess, Talley, Fuller and Zimmerman:

WHEREAS, On the eighteenth of May in the year nineteen hundred and eighty, that queen of Washington's Cascades, Mt. St. Helens, did awaken after a slumber of one hundred and twenty-three years, and did in a flash lift an unbelievable amount of earth into the stratosphere; and

WHEREAS, That unprecedented eruption did deposit over ninety million cubic yards of debris into the Toutle and Cowlitz River basins; and

WHEREAS, The eruption did also cause a massive amount of material to flow into the Columbia River, causing a suspension of river traffic; and

WHEREAS, The Army Corps of Engineers, that long established engineering and construction arm of the Department of Defense, was immediately assigned the task of debris removal and flood protection; and

WHEREAS, The Corps of Engineers called upon the construction industry to mobilize hundreds of pieces of heavy construction equipment and marshal the manpower necessary to move sixty million cubic yards of rock and sand; and

WHEREAS, The dredging operations, earth moving, and revetment placement that was begun on the twentieth of May, two days after the eruption, required the greatest force of construction workers of any construction project in all the West; and

WHEREAS, The states of Washington and Oregon are deeply indebted to the Corps of Engineers for the exceptional leadership skills exhibited while directing this monumental task;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate commends the officers and civilian engineers of the Army Corps of Engineers for their outstanding performance in protecting the life and property of the Toutle and Cowlitz River basins, and for reopening the Columbia River to ocean-going shipping; and

BE IT FURTHER RESOLVED, That special recognition be given to Major General Richard M. Wells, Division Engineer, North Pacific Division; Colonel Terence J. Connell, District Engineer, Portland Engineer District; Adam J. Heineman, Patrick J. Keough, Robert F. Hull, Thomas L. Clapper, Clarence R. Gordon, and Lawrence M. Magura.

President Pro Tempore Guess introduced the honored guests and with permission of the Senate, business was suspended to permit Colonel Terence J. Connell, District Engineer of the Portland Engineer District and Cowlitz County Commissioner Youngquist to address the Senate.

President Pro Tempore Guess presented Distinguished Citizen of the State of Washington certificates to the members of the Corps.

The committee of honor escorted the honored guests to the office of the President Pro Tempore and the committee was discharged.

President Pro Tempore Guess returned the gavel to President Cherberg.

MOTIONS

On motion of Senator Clarke, the Senate returned to the sixth order of business.

On motion of Senator Clarke, the Senate resumed consideration of Engrossed Substitute House Bill No. 1156, on reconsideration.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1156, by House Committee on Local Government (originally sponsored by House Committee on Local Government and Representatives Isaacson and Nelson (G.)):

Permitting establishment of cultural arts, stadium, and convention districts.

The Senate resumed consideration of Engrossed Substitute House Bill No. 1156, as amended by the Senate. On March 22, 1982, the measure failed to pass the Senate. Senator McDermott gave notice of reconsideration on that day. On March 23, 1982, the Senate moved to reconsider the vote by which the measure failed to pass. On motion of Senator McDermott, the rules were suspended and Engrossed Substitute House Bill No. 1156, as amended by the Senate, was returned to second reading and held.

MOTION FOR RECONSIDERATION

On motion of Senator McDermott, the Senate moved to reconsider the vote by which the amendment by Senator Zimmerman, as amended, was adopted on March 22, 1982.

On motion of Senator McDermott, the following amendments by Senators McDermott, Shinpoch and Hayner to the amendment by Senator Zimmerman, as amended, were adopted:

On page 14, after "taxes:" on line 38 strike all of subsection (1) and insert the following:

"(1) A regular ad valorem property tax levy in an amount equal to twenty-five cents or less per thousand dollars of the assessed value of property in the district in each year for six consecutive years. This six year levy must be approved by a majority of at least three-fifths of the electors thereof voting on the proposition, at which election the number of persons voting "yes" on the proposition shall constitute three-fifths of a number equal to forty percentum of the total votes cast in such taxing district at the last preceding general election; or by a majority of at least three-fifths of the electors thereof voting on the proposition to levy when the number of electors voting yes on the proposition exceeds forty per centum of the total votes cast in such taxing district in the last preceding general election.

In the event cultural arts, stadium and convention districts are levying property taxes, which in combination with property taxes levied by other taxing districts result in taxes in excess of the one percent limitation provided for in Article VII, section 2, of our state Constitution, the cultural arts, stadium and convention district property tax levy shall be reduced or eliminated before the property tax levies of other taxing districts are reduced: PROVIDED, That no cultural arts, stadium, and convention district may pledge anticipated revenues derived from the property tax herein authorized as security for payments of bonds issued pursuant to subsection (1) of this section: PROVIDED, FURTHER, That such limitation shall not apply to property taxes approved pursuant to subsections (2) and (3) of this section.

The limitation in RCW 84.55.010 shall apply to levies after the first levy authorized under this section following the approval of such levy by voters pursuant to this section."

On page 5, line 29, after "19..." strike all material down to "district?" on line 33.

On motion of Senator Zimmerman, the following amendment by Senators Zimmerman, Craswell and Hurley to the amendment by Senator Zimmerman, as amended, was adopted:

On page 5, line 11 after "resolution" strike " or at a special election called for such purpose"

The amendment by Senator Zimmerman, as amended on March 22, 1982 and as amended today, on reconsideration, was adopted.

On motion of Senator Gould, the rules were suspended, Engrossed Substitute House Bill No. 1156, 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 Ridder: "Senator Gould, as a fellow member of the constitutions and elections committee, you will remember we have had some discussion about the term 'general election' in the past and I notice that with the elimination of a special election under the Zimmerman amendment, the term is 'next general election,' and I am wondering if it was your intent that that be an election to the general body that would be, for instance, a school election that would be held on a regular levy time, whether it would be a special election or whether it would be confined to the general election in November?"

Senator Gould: "It is my understanding with the Zimmerman amendment, it will be only the primary or general election, that no special election dates would be allowed."

Senator Ridder: "Okay, thank you."

Further debate ensued.

POINT OF INQUIRY

Senator McDermott: "Senator Zimmerman, some of us out here are very concerned about what happens to local government finance generally. And I wonder if you could tell us whether or not you believe there will be a bill on the floor that will give local government sufficient ability to deal with their problems."

Senator Zimmerman: "Senator McDermott, this morning at 8 o'clock, two republicans, two democrats and members of the committee that have been working on House Bill 1014 met with the idea of working out what would be agreed upon amendment to deal with that subject. We are hopeful that whenever it is the proper time as far as the flow of business, that that proposal will be before us, that we can deal with what is a comprehensive bill on local option sales tax, real estate excise tax, development fees, and lidding of utility taxes; very, very complete bill which will give considerable option to counties and cities to deal with that side of it, their revenue side, at the same time dealing with some of the problems that have arisen from their very narrow base which they presently have only for cities or utilities and so on.

"So it is my hope that we will be able to deal with it. It will hopefully have support of other members of the floor. Since we had Representative Nelson meeting with us this morning, at this meeting, that he, too, is fully apprised of where we are, what is happening, and I am quite confident that this will take place."

Senator McDermott: "It is your understanding, then, an agreement has been reached in this body as to the form it should take on the floor?"

Senator Zimmerman: "I think that would be verified by Senator Wilson and Senator Charnley and Senator Gould."

POINT OF INQUIRY

Senator McDermott: "Senator Hayner, my question is, 'Do you intend to bring the bill that Senator Zimmerman has worked the compromise on to the floor on local government finances?'"

Senator Hayner: "I really have no objection to that. I think it is in a negotiation stage. I think there is still work being done on it. I know that even though the bill came out of committee there are amendments to be dealt with and I think if we can get closer to some kind of agreement before it comes out here, I think that that would be very admirable."

Further debate ensued.

MOTION

Senator Rasmussen moved that Engrossed Substitute House Bill No. 1156, as amended by the Senate, be referred to the Committee on Ways and Means.

Debate ensued.

Senator Rasmussen demanded a roll call and the demand was sustained.

PERSONAL PRIVILEGE

Senator McDermott: "Mr. President, I have been accused of being the most liberal member on the floor. And the National Conservative Union did not rank me highest, I was about the fifth."

The President declared the question before the Senate to be the roll call on the motion by Senator Rasmussen that Engrossed Substitute House Bill No. 1156, as amended by the Senate, be referred to the Committee on Ways and Means.

ROLL CALL

The Secretary called the roll and the motion failed by the following vote: Yeas, 18; nays, 30; excused, 1.

Voting yea: Senators Bottiger, Craswell, Gaspard, Hughes, Hurley, Lysen, McCaslin, McDermott, Peterson, Pullen, Rasmussen, Ridder, Scott, Shinpoch, Vognild, Williams, Wilson, Wojahn—18.

Voting nay: Senators Bauer, Benitz, Bluechel, Charnley, Clarke, Conner, Deccio, Fleming, Fuller, Gallagher, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, Metcalf, Moore, Newhouse, Patterson, Quigg, Sellar, Talmadge, von Reichbauer, Woody, Zimmerman—30.

Excused: Senator Talley—1.

MOTION

Senator Ridder moved that Engrossed Substitute House Bill No. 1156, as amended by the Senate, be made a special order of business on third reading immediately following consideration of Substitute House Bill No. 1014.

Debate ensued.

The motion by Senator Ridder failed.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substituted House Bill No. 1156, as amended by the Senate, on reconsideration.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1156, as amended by the Senate, and the bill passed the Senate on

reconsideration, by the following vote: Yeas, 29; nays, 18; absent or not voting, 1; excused, 1.

Voting yea: Senators Bauer, Benitz, Bluechel, Charnley, Conner, Deccio, Fleming, Fuller, Gallagher, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Kiskaddon, Lee, McDermott, Metcalf, Patterson, Ridder, Sellar, Talmadge, Vognild, von Reichbauer, Woody, Zimmerman—29.

Voting nay: Senators Clarke, Craswell, Gaspard, Hurley, Jones, Lysen, McCaslin, Moore, Newhouse, Peterson, Pullen, Quigg, Rasmussen, Scott, Shinpoch, Williams, Wilson, Wojahn—18.

Absent or not voting: Senator Bottiger—1.

Excused: Senator Talley—1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1156, as amended by the Senate, 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.

MOTION

On motion of Senator Clarke, the Senate returned to the first order of business.

REPORTS OF STANDING COMMITTEES

March 23, 1982.

SUBSTITUTE HOUSE BILL NO. 1109, modifying provisions relating to the budget stabilization account (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Scott, Chairman; Bluechel, Craswell, Deccio, Haley, Hayner, Jones, Lee, Zimmerman.

Passed to Committee on Rules for second reading.

March 23, 1982.

ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 13, modifying fiscal provisions of the state constitution (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended and refer to Committee on Constitutions and Elections.

Signed by: Senators Scott, Chairman; Bluechel, Craswell, Deccio, Haley, Hayner, Jones, Lee, Zimmerman.

Passed to Committee on Constitutions and Elections.

MOTION

At 11:31 a.m., on motion of Senator Clarke, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

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

MOTION

On motion of Senator Clarke, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 23, 1982.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 4369 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 4, chapter 340, Laws of 1981 as amended by section 5, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation \$ ((1,163,000))
 1,628,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$200,000 is provided to study the following higher education issues:

- (a) The duplication of programs;
- (b) Defining the role, mission, and goals of The Evergreen State College;
- (c) The coordination and delivery of vocational education;
- (d) The waiver of tuition for certain students;
- (e) The support of intercollegiate sports with state funds; and
- (f) The appropriate level of classroom contact hours.

(2) \$200,000 is provided to study the following common school issues:

- (a) The need for educational staff associates;
- (b) Student voucher system;
- (c) Productivity increases of teaching staff;
- (d) "Fast track" system for advanced students;
- (e) Modifications of the basic education funding formula;
- (f) Reductions of paperwork; and
- (g) Modifications to the continuing contract laws and the collective bargaining statutes.

(3) \$100,000 is provided to study the following agency and function elimination or consolidation issues:

- (a) Department of ecology;
- (b) Emergency services;
- (c) Department of veteran's affairs;
- (d) Consolidation of the departments of fisheries and game;
- (e) Consolidation of park functions in the department of natural resources, the parks and recreation commission, the department of game, and the department of fisheries.

(4) Copies of these studies are to be submitted to the house and senate ways and means committees by January 15, 1983.

Sec. 2. Section 5, chapter 340, Laws of 1981 as amended by section 6, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund Appropriation \$ ((1,180,000))
 1,145,000

Sec. 3. Section 6, chapter 340, Laws of 1981 as amended by section 7, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE STATE ACTUARY

General Fund Appropriation \$ ((296,000))
 287,000

Sec. 4. Section 7, chapter 340, Laws of 1981 as amended by section 8, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATUTE LAW COMMITTEE

General Fund Appropriation \$ ((4,275,000))

	<u>4,147,000</u>
Sec. 5. Section 8, chapter 340, Laws of 1981 as amended by section 9, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:	
FOR THE SUPREME COURT	
General Fund Appropriation	\$ ((5,710,000))
	<u>5,630,000</u>

The appropriation in this section is subject to the following condition or limitation: \$1,325,000 is provided solely for indigent appeal cases.

Sec. 6. Section 9, chapter 340, Laws of 1981 as amended by section 10, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:	
FOR THE LAW LIBRARY	
General Fund Appropriation	\$ ((1,658,000))
	<u>1,608,000</u>

The appropriation in this section is subject to the following condition or limitation: All nonstate agency users of the Westlaw system shall be charged a service fee sufficient to cover the costs of their usage.

Sec. 7. Section 10, chapter 340, Laws of 1981 as amended by section 11, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:	
FOR THE COURT OF APPEALS	
General Fund Appropriation	\$ ((7,820,000))
	<u>7,720,000</u>

The appropriation in this section is subject to the following condition or limitation: \$1,273,000 is provided solely for lease and associated costs for Division I relocation, and no other moneys may be expended for these purposes.

Sec. 8. Section 11, chapter 340, Laws of 1981 as amended by section 12, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:	
FOR THE ADMINISTRATOR FOR THE COURTS	
General Fund Appropriation	\$ ((10,485,000))
	<u>10,295,000</u>
General Fund—Judiciary Education Account Appropriation	\$ 359,000
Total Appropriation	\$ ((10,844,000))
	<u>10,654,000</u>

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

(1) A maximum of \$8,185,000 of the general fund appropriation may be spent for the superior court judges, including prior claims. Of this amount, \$310,000 is provided solely for criminal cost bills, including prior claims; \$300,000 is provided solely for mandatory arbitration costs, including prior claims; and \$114,000 is provided solely for judges pro tempore for the superior courts. The administrator for the courts shall authorize and approve all such expenditures.

(2) Effective July 1, 1982, costs associated with the operation of the judicial council shall be borne by the administrator for the courts.

Sec. 9. Section 12, chapter 340, Laws of 1981 as amended by section 13, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:	
FOR THE JUDICIAL COUNCIL	
General Fund Appropriation	\$ ((264,000))
	<u>129,000</u>

The appropriation in this section is subject to the following condition or limitation: \$129,000 is provided solely for fiscal year 1982.

Sec. 10. Section 13, chapter 340, Laws of 1981 as amended by section 14, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR

General Fund Appropriation—State \$ ((3,195,000))
3,099,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$2,851,000 of the state general fund appropriation may be spent for executive operations.

(2) A maximum of \$193,000 of the state general fund appropriation may be spent for extradition expenses to carry out the provisions of RCW 10.34.030 providing for the return of fugitives by the governor, including prior claims and for extradition-related legal services as determined by the attorney general.

(3) A maximum of \$151,000 of the state general fund appropriation is provided solely for mansion maintenance, and no other moneys may be expended for this purpose.

(4) A maximum of \$1,000 of the state general fund appropriation may be spent for implementation of the corporate responsibilities award program under which appropriate recognition shall be awarded by the governor to those private businesses or corporations which contribute at least two percent of their before-tax profit to programs which result in a reduction in state government costs, especially those programs which aid the poor and infirm.

Sec. 11. Section 14, chapter 340, Laws of 1981 as amended by section 15, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE GOVERNOR—SPECIAL APPROPRIATIONS

General Fund Appropriation—State \$ ((137,236,000))
100,569,000
 General Fund Appropriation—Federal \$ ((24,211,000))
17,146,000

Special Fund Salary and Insurance Contribution
 Increase Revolving Fund Appropriation \$ ((48,687,000))
34,372,000

Total Appropriation \$ ((210,134,000))
152,087,000

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

(1) A maximum of \$((2,247,000)) 2,180,000 is for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency.

(2) (a) A maximum of \$((129,349,000)) 85,684,000 of general fund moneys (including \$((19,049,000)) 11,984,000 in federal funds) may be expended to implement salary increases, effective October 1, 1981, averaging 7.5% for higher education classified employees and 7.2% for commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board)((~~and effective February 1, 1983, a salary increase averaging 7.0% for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not~~

under the jurisdiction of the state or higher education personnel board)): PROVIDED, That the October 1, 1981, salary increase for higher education classified employees and state personnel board classified and exempt employees shall implement the salary ranges adopted by the higher education and state personnel boards resulting from the 1980 salary survey (catch-up results): PROVIDED, That increases granted in this subsection for higher education faculty and administrative exempt employees are inclusive of increments: PROVIDED FURTHER, That exclusive of merit pool and Washington state university (143) increase funds no higher education institution or community college district may grant from any fund source whatsoever any salary increases greater than that provided in this subsection.

(b) A maximum of \$29,851,000 of general fund moneys (including \$5,162,000 in federal funds) may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$22,339,000 of this amount (including \$3,947,000 in federal funds) may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$7,512,000 of this amount (including \$1,215,000 in federal funds) may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee.

(c) A maximum of ~~\$(39,155,000)~~ 24,840,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect salary increases for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board) calculated in accordance with the procedures outlined in subsection (2)(a) of this section.

(d) A maximum of \$9,532,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$7,289,000 of this amount may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$2,243,000 of this amount may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee.

(e) To facilitate payment of state employee salary increases from special funds and to facilitate payment of state employee insurance benefit increases from special funds, the state treasurer is directed to transfer sufficient income from each special fund to the special fund salary and insurance contribution increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

(f) Notwithstanding any other provision of this subsection (2), Walla Walla community college may fund additional actual increments or their equivalents in salaries for each year of the biennium to equalize salaries to the state-wide average salaries as reflected by the average base salary of the annually contracted professional personnel of the Washington community colleges.

(g) During the period beginning on the effective date of this 1982 act and ending July 1, 1983, no increment salary increases shall be authorized or granted. Each elected state official shall revise allotments of agencies for which the official has

allotment revision authority to reflect the elimination of increment increases. Mon-
eys which would have been used for increment increases shall be used for the salary
increases granted on October 1, 1981, under this section.

Sec. 12. Section 15, chapter 340, Laws of 1981 as amended by section 16,
chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE LIEUTENANT GOVERNOR

General Fund Appropriation	\$	((203,000))
		<u>197,000</u>

Sec. 13. Section 16, chapter 340, Laws of 1981 as amended by section 17,
chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund Appropriation	\$	((3,800,000))
		<u>3,686,000</u>

Archives and Records Management Account Appropria- tion	\$	1,135,000
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Total Appropriation	\$	((4,935,000))
		<u>4,821,000</u>

The appropriation in this section is subject to the following conditions and
limitations:

(1) \$923,000 is provided solely for the verification of initiative and referendum
petitions and the maintenance of related voter registration records, legal advertising
of state measures, and the publication and distribution of the voters and candidates
pamphlet.

(2) \$559,000 is provided solely to reimburse counties for the state's share of
primary and general election costs and the costs of conducting mandatory recounts
on state measures.

(3) \$25,000 is provided solely for costs associated with redistricting.

Sec. 14. Section 17, chapter 340, Laws of 1981 as amended by section 18,
chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS, THE
COMMISSION ON ASIAN-AMERICAN AFFAIRS, AND THE GOVERN-
OR'S OFFICE OF INDIAN AFFAIRS**

Commission on Mexican-American Affairs

General Fund Appropriation	\$	((105,000))
		<u>55,000</u>

Commission on Asian-American Affairs

General Fund Appropriation	\$	((105,000))
		<u>55,000</u>

Governor's Office of Indian Affairs

General Fund Appropriation	\$	((105,000))
		<u>55,000</u>

Total Appropriation	\$	((315,000))
		<u>165,000</u>

The appropriations in this section are subject to the following condition ((and))
or limitation: ((~~The position of executive director for each commission or office shall
be retained. The agencies for which appropriations are provided by this section shall
jointly fund a common secretarial/clerical pool and consolidate their respective office
spaces upon expiration of current lease agreements~~)) The appropriations in this section
are provided solely for fiscal year 1982.

Sec. 15. Section 18, chapter 340, Laws of 1981 as amended by section 19,
chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER

Motor Vehicle Fund Appropriation—State	\$	37,000
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State Treasurer's Service Fund Appropriation	\$	((4,930,000))
		5,124,000
Total Appropriation	\$	((4,967,000))
		5,161,000

The appropriations in this section are subject to the following condition or limitation: \$194,000 of the state treasurer's service fund appropriation is provided solely for the development, implementation, and operation of an integrated agency financial reporting system with the treasury accounting system.

Sec. 16. Section 19, chapter 340, Laws of 1981 as amended by section 20, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE AUDITOR

General Fund Appropriation—State	\$	((1,906,000))
		1,849,000
General Fund Appropriation—Federal	\$	352,000
General Fund Appropriation—Private/Local	\$	48,000
Motor Vehicle Fund Appropriation	\$	267,000
Auditing Services Revolving Fund Appropriation	\$	5,265,000
Total Appropriation	\$	((7,838,000))
		7,781,000

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

(1) The division of municipal corporations shall give high priority to examining the accuracy of local school district reporting of staff mix and enrollment data for state reimbursement purposes. Beginning with the 1981-82 school year, any significant inaccuracies shall be reported to the attorney general and the superintendent of public instruction. The superintendent shall take action to recover any overpayment which results from the reporting of inaccurate data.

(2) No general fund moneys may be expended for the training of municipal auditors or other local personnel.

(3) Legal costs incurred by the attorney general to insure compliance with the findings of the state auditor in state agency audits shall be charged to the agency that received the audit. ~~((Costs to audited agencies shall not exceed the budget preparation estimates provided by the state auditor to the committees on ways and means of the senate and house of representatives which were based on the governor's requested staff level plus seven positions.))~~

(4) The total of all billings submitted to state agencies shall reflect a 10.1% reduction from the original budget preparation estimates submitted to the ways and means committee of the senate and house of representatives in the 1981 regular session of the legislature. Such reduction shall be offset by an amount not to exceed \$338,000 which reflects the impact of salary and insurance costs not provided to the Auditing Services Revolving Fund in the original budget.

Sec. 17. Section 22, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

Net savings of general fund—state moneys realized by agencies as a result of 10.1% reductions in billings to agencies from the following funds shall be placed in reserve status by the director of financial management and shall not be expended until appropriated by law:

- (1) Auditing services revolving fund;
- (2) ~~((Legal services revolving fund;~~
- ~~((3)))~~ (3) General administration facilities and services revolving fund (excluding the portion reflecting utilities);
- ~~((4)))~~ (4) Department of personnel service fund; and
- ~~((5)))~~ (5) Higher education personnel board service fund.

Sec. 18. Section 20, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund Appropriation	\$	((4,300,000))
		3,956,000
Legal Services Revolving Fund Appropriation	\$	((19,513,000))
		18,537,000
Total Appropriation	\$	((23,813,000))
		22,493,000
((FTE Staff Years—Fiscal Year 1982.....		317.1
FTE Staff Years—Fiscal Year 1983.....		320.1))

The appropriations in this section are subject to the following conditions ~~((σ))~~ and limitations:

(1) \$150,000 of the general fund appropriation is provided solely for the continuation of the crime watch program.

(2) Net savings of state general fund moneys realized by agencies as a result of the 5% reduction in legal services revolving fund billings shall be placed in reserve status by the director of financial management. These funds shall not be expended until appropriated by law.

Sec. 19. Section 21, chapter 340, Laws of 1981 as amended by section 24, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund Appropriation—State	\$	((12,752,000))
		14,385,000
General Fund Appropriation—Federal	\$	((6,300,000))
		8,230,000
Total Appropriation	\$	((19,052,000))
		22,615,000

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

(1) \$675,000 of the general fund—state appropriation is provided solely for the completion of the higher education personnel/payroll system.

(2) \$70,000 of the general fund—state appropriation is provided solely for the payment of assessments against state-owned land.

(3) ~~\$((1,568,000))~~ 1,821,000 of the general fund—state appropriation is provided solely for the completion, implementation, and operation of the state budget and accounting systems development.

(4) A maximum of \$1,553,000 of the general fund—state appropriation is provided ~~((solely))~~ for payment of supplies and services furnished in previous biennia.

(5) \$5,000 of the general fund—state appropriation is provided solely for payment of claims against the state.

(6) \$3,646,000, of which \$1,930,000 is from federal funds, is provided solely for the provision of local government services and to carry out special projects previously provided by the planning and community affairs agency.

NEW SECTION. Sec. 20. There is added to chapter 340, Laws of 1981 a new section to read as follows:

FOR THE PERSONNEL APPEALS BOARD

Department of Personnel Service Fund Appropriation	\$	330,000
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Sec. 21. Section 24, chapter 340, Laws of 1981 as amended by section 26, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DATA PROCESSING AUTHORITY (OR SUCCESSOR AGENCY)

General Fund Appropriation	\$	((398,000))
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	<u>386,000</u>
Data Processing Revolving Fund Appropriation	\$ 418,000
Total Appropriation	\$ 804,000

The appropriations in this section ((is)) are subject to the following conditions ((or)) and limitations: (~~(\$398,000 is provided solely for one year. Funding for the second fiscal year of the biennium shall be considered in the 1982 regular session of the legislature based upon interim recommendations.)~~)

(1) The general fund appropriation is provided solely for fiscal year 1982.

(2) The data processing revolving fund appropriation to the data processing authority or its successor agency is provided solely for fiscal year 1983.

Sec. 22. Section 25, chapter 340, Laws of 1981 as amended by section 27, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMITTEE FOR DEFERRED COMPENSATION

General Fund Appropriation	\$ ((31,000)) <u>30,000</u>
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Sec. 23. Section 26, chapter 340, Laws of 1981 as amended by section 28, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund Appropriation	\$ ((36,493,000)) <u>36,074,000</u>
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General Fund—State Timber Tax Reserve Account

Appropriation	\$ 2,794,000
Motor Vehicle Fund Appropriation	\$ 110,000
Total Appropriation	\$ ((39,397,000)) <u>38,978,000</u>

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

(1) \$393,000 of the state timber tax reserve account appropriation is provided solely for reimbursement to counties with timberland for the costs of establishing forest land grades for each parcel of classified or designated forest land.

(2) The department of revenue shall maintain advisory appraisals as required by RCW 84.41.060.

(3) The department of revenue shall add one full time equivalent staff year for the 1982 fiscal year only to help conduct a new study of the financial impact of tax exemptions and a review of the effectiveness and problems of the current use law.

(4) That portion of the general fund—state appropriation which is allotted to the inheritance tax division for fiscal year 1983 is reduced by \$125,000 in this 1981 amendatory act in recognition of the passage of Initiative No. 402 and the resultant workload decrease in the inheritance tax division.

(5) ~~\$(2,444,000))~~ 2,310,000 of the general fund—state appropriation is provided solely for costs incurred by the excise tax division and the interpretation and appeals division as a result of the expanded effort at revenue recovery and appeals resolution.

(6) The department of revenue shall make every effort to implement the 1982 revisions to this section by making program reductions which will cause minimal loss of state revenues.

Sec. 24. Section 27, chapter 340, Laws of 1981 as amended by section 29, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF TAX APPEALS

General Fund Appropriation	\$ ((85,000)) <u>858,000</u>
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Sec. 25. Section 28, chapter 340, Laws of 1981 as amended by section 30, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation—State	\$	((6,505,000))
		6,450,000
General Fund Appropriation—Private/Local	\$	89,000
General Fund—Motor Transport Account Appropriation	\$	8,688,000
General Administration Facilities and Services Revolving Fund Appropriation	\$	13,378,000
Total Appropriation	\$	((28,660,000))
		28,605,000

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

(1) The department of general administration shall not expend any of the general fund appropriation for the replacement of motor transport division vehicles.

(2) The department of general administration shall provide insurance coverage for all state-owned, state-chartered, state-rented, or state employee-owned aircraft being used on authorized state business, including passengers. This coverage shall be in force for all such aircraft whether piloted by a state employee or employees of a charter or rental firm. The department may require reimbursement for premium costs from user agencies on a pro rata basis.

(3) The department of agriculture shall transfer \$21,000 from its local fund accounts to the motor transport account. The state treasurer shall transfer to the motor transport account \$29,000 from the grain and hay inspection fund, \$8,000 from the community college capital projects account, and \$24,000 from the highway safety fund. These transfers shall be in accordance with schedules provided by the office of financial management.

(4) \$140,000 of the state general fund appropriation is provided solely to convert the existing storage area in the basement of the public lands building to office space for support service functions. If House Bill No. 1230 is enacted during the 1982 first extraordinary session of the legislature and provides funding for this project, the \$140,000 provided under this section shall lapse.

Sec. 26. Section 29, chapter 340, Laws of 1981 as amended by section 31, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE INSURANCE COMMISSIONER

General Fund Appropriation	\$	((7,189,000))
		7,043,000

The appropriation in this section is subject to the following condition or limitation: \$70,000 is provided solely for work associated with the revisions to the valuation and nonforfeiture statutes as contained in chapter ... (Engrossed Substitute Senate Bill No. 4201), Laws of 1982 1st ex. sess.

Sec. 27. Section 30, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premiums tax distribution	\$	4,360,000
General Fund Appropriation for refund of deferred property tax	\$	((33,000))
		123,000
General Fund Appropriation for public utility district excise tax distribution	\$	((12,673,000))
		13,205,000
General Fund Appropriation for prosecuting attorneys' salaries	\$	1,449,000

General Fund Appropriation for motor vehicle excise tax distribution	\$	((56,632,000))
		<u>55,332,000</u>
General Fund Appropriation for local mass transit assistance	\$	((104,279,000))
		<u>98,779,000</u>
General Fund Appropriation for camper and travel trailer excise tax distribution	\$	1,940,000
General Fund Appropriation for local fire protection costs	\$	720,000
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution	\$	728,000
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution	\$	((22,389,000))
		<u>20,357,000</u>
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution	\$	172,480,000
Liquor Revolving Fund Appropriation for liquor profits distribution	\$	((52,775,000))
		<u>53,600,000</u>
State Timber Tax Account 'A' Appropriation for distribution to "Timber" counties	\$	((21,400,000))
		<u>17,570,000</u>
State Timber Tax Reserve Account Appropriation for distribution to "Timber" counties	\$	((56,000,000))
		<u>46,870,000</u>
Total Appropriation	\$	((507,858,000))
		<u>487,513,000</u>

Sec. 28. Section 33, chapter 340, Laws of 1981 as amended by section 33, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund Appropriation	\$	((897,000))
		<u>870,000</u>

Sec. 29. Section 36, chapter 340, Laws of 1981 as amended by section 35, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation	\$	((556,000))
		<u>539,000</u>

The appropriation in this section is subject to the following condition((s and)) or limitation((s)): ((+)) The board of accountancy shall not restrict entrance to CPA examinations as a result of reductions in state funding.

~~((2)) \$20,000 of this appropriation shall not be expended unless, by February 1, 1982, the board of accountancy has increased its CPA examination fees to the maximum level authorized under RCW 18.04.160.))~~

Sec. 30. Section 37, chapter 340, Laws of 1981 as amended by section 36, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE BOXING COMMISSION

General Fund Appropriation	\$	((64,000))
		<u>62,000</u>

Sec. 31. Section 40, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE LIQUOR CONTROL BOARD

Liquor Revolving Fund Appropriation	\$	((75,823,000))
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	<u>72,032,000</u>
((FTE Staff Years—Fiscal Year 1982	1,355.0
FTE Staff Years—Fiscal Year 1983	1,354.9))

Sec. 32. Section 41, chapter 340, Laws of 1981 as amended by section 37, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PHARMACY BOARD

General Fund Appropriation	\$ ((966,000)) <u>937,000</u>
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The appropriation in this section is subject to the following condition or limitation: No moneys appropriated in this section may be expended for continuation of the diversion investigation unit.

Sec. 33. Section 44, chapter 340, Laws of 1981 as amended by section 38, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF EMERGENCY SERVICES

General Fund Appropriation—State	\$ ((1,005,000)) <u>975,000</u>
General Fund Appropriation—Federal	\$ 2,227,000
Total Appropriation	\$ ((3,232,000)) <u>3,202,000</u>

The appropriations in this section are subject to the following condition or limitation: \$242,000 of the general fund—state appropriation is provided solely to reimburse the federal emergency management agency for the state's share of costs of individual and family grants provided for disaster relief: PROVIDED, That the department of emergency services, in conjunction with the department of social and health services, will reinstate an appeal process to the federal emergency management agency with respect to the \$87,102 in audit exceptions relative to the 1977 floods.

Sec. 34. Section 45, chapter 340, Laws of 1981 as amended by section 39, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

General Fund Appropriation—State	\$ ((6,330,000)) <u>6,140,000</u>
General Fund Appropriation—Federal	\$ 1,764,000
Total Appropriation	\$ ((8,094,000)) <u>7,904,000</u>

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

(1) \$279,000 of the general fund—state appropriation is provided solely for the continuation of the educational assistance grant program, of which a maximum of \$10,000 may be expended for administrative costs.

(2) \$32,000 of the general fund—state appropriation is provided solely for the Washington state guard.

(3) The military department shall make every effort to implement the 1982 revisions to this section by reducing programs whose funding does not affect the receipt of federal grants or contracts.

Sec. 35. Section 46, chapter 340, Laws of 1981 as amended by section 40, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund Appropriation	\$ ((1,173,000)) <u>1,138,000</u>
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NEW SECTION. Sec. 36. There is added to chapter 340, Laws of 1981 a new section to read as follows:

The department of corrections may modify allotments to include transfers between the programs established within the department. The modifications shall not be made without prior approval of the office of financial management in consultation with the committees on ways and means of the senate and house of representatives.

Sec. 37. Section 48, chapter 340, Laws of 1981 as amended by section 42, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

General Fund Appropriation \$ 43,419,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$15,038,000 is provided solely to contract with nonprofit corporations to provide diversionary programs and operate and/or contract for work/training release for convicted felons: PROVIDED, That \$999,000 of this appropriation is provided solely for pre-trial diversion and the continuation of the alternatives to street crime programs in Snohomish, Pierce and Clark counties. Such funds shall be distributed to the counties in a timely manner: PROVIDED FURTHER, That \$375,000 of this appropriation is provided solely for the continuation of 50 work/training release beds at the Progress House Association of Tacoma.

(b) \$2,479,000 is provided solely for intensive parole.

(c) \$21,777,000 is provided solely for probation and parole.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation \$ 149,390,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The department of corrections shall present to the legislature by October 12, 1981, a comprehensive institutional educational policy. This report shall explain the basis for selection of educational programs and participation and shall outline program and payment policies for contracting for educational services. The report shall include, but is not limited to, a detailing by month for each institution of the programs, program goals, staffing, costs per offering, and actual and estimated inmate participation.

(b) It is the assumption of the legislature that the appropriation in this subsection initially provides:

(i) \$24,731,000 for the Washington Corrections Center, excluding funds related to court orders under Hoptowit v. Ray, No. 79-359 (E. D. Wash.);

(ii) \$38,312,000 for the Washington State Penitentiary, excluding funds relating to court orders under Hoptowit v. Ray, No. 79-359 (E. D. Wash.);

(iii) \$1,010,000 for the Monroe mental health unit;

(iv) \$24,990,000 for the Washington State Reformatory;

(v) \$8,269,000 for the Purdy Treatment Center for Women;

(vi) \$20,816,000 for the McNeil Island Penitentiary;

(vii) \$9,090,000 for the Special Offenders Center;

(viii) Funds for other costs associated with honor camps and the Pine Lodge Corrections Center(, and).

(3) PROGRAM SUPPORT

General Fund Appropriation \$ ((18,044,000))

14,344,000

General Fund—Institutional Impact Account Approp-
riation \$ 525,000

Total Appropriation \$ 18,569,000

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

(a) \$500,000 is provided solely for individual legal services. There shall be no solicitation of legal action and all informal means of resolving disputes shall be utilized. These funds shall not be used to support class action litigation.

(b) \$~~(4,102,000)~~ 2,902,000 is provided solely for costs directly resulting from the decision in Hoptowit v. Ray, No. 79-359 (E. D. Wash.): PROVIDED, That no expenditure of funds may be made without the signature of the agency's assistant attorney general on the authorizing document.

(c) \$~~(4,057,000)~~ 1,557,000 for fiscal year 1982 and \$4,902,000 for fiscal year 1983 are provided solely to address population overrun in excess of current bed capacity. Such funds shall be released only with the approval of the director of financial management in consultation with the committees on ways and means of the senate and house of representatives.

(d) \$1,079,000 is provided solely for the one-time cost impact to communities associated with locating additional state correctional facilities.

(4) Funds may be transferred from program support to institutional services for costs associated with Hoptowit v. Ray, No. 79-359 (E. D. Wash.), and population overruns to the extent provided for in this section.

(5) The department of corrections shall in conjunction with the office of financial management and the committees on ways and means of the senate and house of representatives develop staff-to-inmate ratios or a system of post assignment for each correctional unit by August 1, 1981. By September 1, 1981, a written report on proposed staffing levels shall be presented to the legislature comparing this staffing to prior biennial levels and discussing its programmatic and fiscal implications.

Sec. 38. Section 49, chapter 340, Laws of 1981 as amended by section 43, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
JUVENILE REHABILITATION PROGRAM**

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	(19,010,000)
		<u>12,235,000</u>
General Fund Appropriation—Federal	\$	57,000
Total Appropriation	\$	(19,067,000)
		<u>12,292,000</u>

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

(a) \$1,228,000 of the general fund—state appropriation is provided solely for community diagnostic services.

(b) \$700,000 from the general fund—state appropriation is provided solely for additional group home beds.

(c) \$224,000 is provided solely to establish a special treatment program for violent assault offenders in community programs.

(d) \$175,000 from the general fund—state appropriation is provided solely to increase the bed capacity of state-operated group homes.

(e) \$8,104,000 is provided solely for consolidated local programs. It is the intent of this funding to reduce existing program categorical barriers for funding and services and to support coordinated community-based treatment programs designed to more effectively and efficiently rehabilitate youthful offenders while protecting society. The department of social and health services shall report to the legislature by January 15, 1982, on the services funded under this program and the success of the programs in preventing institutionalization and reducing recidivism.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	35,443,000
General Fund Appropriation—Federal	\$	682,000
Total Appropriation	\$	36,125,000

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

(a) \$428,000 is provided solely for a violent assault offender unit at the Green Hill School.

(b) It is the assumption of the legislature that the appropriations in this subsection initially provide:

(i) \$10,046,000 (including \$9,834,000 from the state general fund) for the Echo Glen Children's Center to operate at least twelve cottages;

(ii) \$8,646,000 (including \$8,456,000 from the state general fund) for the Maple Lane School to operate at full bed capacity;

(iii) \$10,095,000 (including \$9,965,000 from the state general fund) for the Green Hill School to operate at full bed capacity;

(iv) \$4,483,000 (including \$4,393,000 from the state general fund) for the Naselle Youth Camp to operate at full bed capacity; and

(v) \$2,855,000 (including \$2,795,000 from the state general fund) for the Mission Creek Youth Camp to operate at full bed capacity.

(3) PROGRAM SUPPORT

General Fund Appropriation	\$	1,889,000
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Sec. 39, Section 50, chapter 340, Laws of 1981 as amended by section 44, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES— MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	((53,186,000)) 52,911,000
General Fund Appropriation—Federal	\$	((14,821,000)) 14,759,000
General Fund Appropriation—Local	\$	922,000
Total Appropriation	\$	((68,929,000)) 68,592,000

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

(a) ~~\$((49,212,000))~~ 48,864,000 of which ~~\$((34,815,000))~~ 34,547,000 is from the general fund—state appropriation is provided solely for community mental health services. Of this amount, \$1,150,000 of the general fund—state appropriation is provided solely for 90 new residential treatment facility beds: PROVIDED, That Substitute House Bill No. 353 is passed during the 1981 legislative session: PROVIDED FURTHER, That if Substitute House Bill No. 353 should not pass, the funds provided for these beds shall be transferred to the institutional category of the mental health divisions appropriation. These beds are to be phased in according to the following schedule: 30 beds available January 1, 1982; an additional 30 beds available July 1, 1982; and an additional 30 beds available January 1, 1983. The department of social and health services shall contract for these beds at a rate not exceeding \$35.00 per day. These beds shall serve the chronically mentally ill.

(b) ~~\$((19,717,000))~~ 19,644,000 of which ~~\$((18,371,000))~~ 18,298,000 is from the general fund—state appropriation is provided solely for Involuntary Treatment Act costs. Up to \$2,200,000 of the general fund—state appropriation is provided for 60 new evaluation and treatment beds. These beds are for 72-hour and 14-day commitments. All 60 beds shall be available no later than January 1, 1983.

The department of social and health services shall contract for these beds at a rate not to exceed \$50.00 per day.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	77,511,000
General Fund Appropriation—Federal	\$	5,085,000
Total Appropriation	\$	82,596,000

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

(a) \$49,931,000, of which \$47,464,000 is from state funds, is provided solely for Western State Hospital.

(b) \$24,410,000, of which \$22,717,000 is from state funds, is provided for Eastern State Hospital.

(c) \$4,856,000, of which \$4,105,000 is from state funds, is provided solely for the PORTAL program at the Northern State facility. The secretary of social and health services shall prepare a report for submittal to the legislature by October 1, 1982, on the feasibility and method for implementing the residential treatment program utilized by PORTAL, in communities around the state.

(d) \$3,399,000, of which \$3,225,000 is from state funds, is provided solely for the child study and treatment center.

(e) Upon completion of the new hospital beds at the state hospitals, the department may, by contract, allow other public agencies to utilize the beds made surplus by the opening of the new facility if those agencies provide the funds to cover the full cost of such operation. The hospital shall account for these patients separately from state-supported patients. The care of these patients shall not be subject to the staff-to-patient ratio required in this act.

(3) SPECIAL PROJECTS

General Fund Appropriation—State	\$	1,410,000
General Fund Appropriation—Federal	\$	320,000
Total Appropriation	\$	1,730,000

The appropriations in this subsection are subject to the following condition or limitation: \$579,000 from the general fund—state appropriation is provided solely for the continuation of the case management projects in Snohomish, King, Pierce, and Clark counties, and such other counties as funds allow: PROVIDED, That each county receiving these funds shall develop a method of funding case management within its 1983-85 grant-in-aid awards.

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$	1,851,000
General Fund Appropriation—Federal	\$	549,000
Total Appropriation	\$	2,400,000

Sec. 40. Section 51, chapter 340, Laws of 1981 as amended by section 45, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	((47,179,000))
		<u>32,074,000</u>
General Fund Appropriation—Federal	\$	((9,434,000))
		<u>8,420,000</u>
Total Appropriation	\$	((56,613,000))
		<u>40,494,000</u>

The appropriations in this subsection are subject to the following condition ((and)) or limitation: \$1,000,000 of which \$500,000 is from federal funds is provided solely for the fragile children's program to be implemented during fiscal year 1982: PROVIDED, That a maximum of \$70,000 of these moneys may be expended for start-up costs for group homes: PROVIDED, That up to \$35,000 may be expended to develop a Title XIX waiver plan for community services. If the fragile children's program is not developed by January 1, 1983, then these funds shall revert to the general fund except for those funds expended for group home start-up costs and the Title XIX waiver.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((84,028,000))
		83,328,000
General Fund Appropriation—Federal	\$	((49,036,000))
		49,016,000
Total Appropriation	\$	((133,064,000))
		132,344,000

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

(a) The department of social and health services in conjunction with the superintendent of public instruction and a legislative study committee shall study the services provided by the School for the Deaf and the School for the Blind. The study shall be prepared in consultation with the parents of students enrolled in these schools as well as members of the deaf and blind community. The study shall include the role these schools play in the provision of education to sensory handicapped pupils in the state. The study shall further include an assessment of the advantages and disadvantages of continuing the operation of the schools; changing the operation of the schools; and closing the schools and serving the students through public schools' special programs. The report shall be completed and submitted to the legislature for review by December 30, 1981.

(b) ~~((\$6,781,000 is provided solely for the School for the Deaf, of which \$3,356,000 is for fiscal year 1982 and \$3,424,000 is for fiscal year 1983. \$4,529,000 is provided solely for the School for the Blind, of which \$2,256,000 is for fiscal year 1982 and \$2,273,000 is for fiscal year 1983.))~~

(c)) It is the assumption of the legislature that the appropriations in this subsection initially provide:

- (i) \$32,544,000 for the Fircrest School to operate at a biennial average daily population of 491;
- (ii) \$15,264,000 for the Interlake School to operate at a biennial average daily population of 248;
- (iii) \$34,237,000 for the Rainier School to operate at a biennial average daily population of 531;
- (iv) \$24,651,000 for Lakeland Village to operate at a biennial average daily population of 359;
- (v) \$10,020,000 for the Yakima Valley School to operate at a biennial average daily population of 148;
- (vi) \$3,921,000 for the Francis Haddon Morgan Children's Center to operate at a biennial average daily population of 55; and
- (vii) \$1,117,000 for the Cerebral Palsy Center to operate at a biennial average daily population of 16.

(3) SPECIAL PROJECTS

General Fund Appropriation—State	\$	984,000
General Fund Appropriation—Federal	\$	2,397,000
Total Appropriation	\$	3,381,000

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$	3,056,000
General Fund Appropriation—Federal	\$	227,000
Total Appropriation	\$	3,283,000

Sec. 41. Section 52, chapter 340, Laws of 1981 as amended by section 46, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
NURSING HOMES PROGRAM

General Fund Appropriation—State	\$	((169,475,000))
		<u>167,275,000</u>
General Fund Appropriation—Federal	\$	((169,527,000))
		<u>167,327,000</u>
Total Appropriation	\$	((339,002,000))
		<u>334,602,000</u>

The appropriations in this section are subject to the following condition or limitation: This appropriation assumes passage of Senate Bill No. 3765 and a two-year delay of implementation of chapter 74.46 RCW.

Sec. 42. Section 53, chapter 340, Laws of 1981 as amended by section 47, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
INCOME MAINTENANCE GRANTS PROGRAM

General Fund Appropriation—State	\$	((308,220,000))
		<u>301,198,000</u>
General Fund Appropriation—Federal	\$	((319,215,000))
		<u>312,194,000</u>
Total Appropriation	\$	((627,435,000))
		<u>613,392,000</u>

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

(1) \$20,000,000 is provided solely for implementation of the consolidated emergency assistance program to provide specifically directed cash or in-kind benefits to meet the specific emergent need(s) of the applicant. Aid may be provided for up to two months in any consecutive twelve-month period to low-income families with children who are ineligible for other state or federal assistance. It is the intent of the legislature that eligibility requirements shall be stricter than AFDC requirements. The department of social and health services shall immediately apply for waivers under Title XI, section 1115 of the federal social security act to allow federal matching funds to be used for the consolidated emergency assistance program as provided for in this section and in chapter 74.04 RCW (Senate Bill No. 4299).

(2) \$45,282,000 of the general fund—state appropriation is provided solely for income maintenance grants for the general assistance—unemployable program.

(3) The department of social and health services shall immediately evaluate federal proposals which are presently legal options to the states and implement those which are found to be cost-effective. In addition, the department shall seek waivers for any specific federal proposals which are cost-effective and are not now authorized. When waivers are obtained, changes shall be implemented. The department of social and health services shall provide proper notification, in accordance with state and federal laws and regulations, of any changes that are implemented. Furthermore, the department of social and health services shall draft rules to implement enacted changes to Title IV-A of the federal social security act prior to the issuance of federal regulations in order to avoid overexpenditure of state funds.

(4) The department of social and health services shall submit a report no later than November 2, 1981, to the committees on ways and means, social and health services, and human services of the senate and house of representatives detailing the implementation schedule and fiscal and program impact of these changes.

(5) It is the assumption of the legislature that the appropriations in this section initially provide:

- (a) \$44,220,000 from federal funds for energy assistance;
- (b) \$61,220,000 from federal funds for Indochinese refugees;
- (c) \$20,000,000 from the state general fund for the consolidated emergency assistance program;
- (d) \$453,334,000 (including \$219,086,000 from the state general fund) for aid to families with dependent children, with a caseload assumption for fiscal year 1982 of 59,890 cases and a caseload assumption for fiscal year 1983 of 61,797 cases;
- (e) \$31,103,000 from the state general fund for the supplemental security income state supplement;
- (f) \$53,428,000 from the state general fund for general assistance, with a case-load assumption for fiscal year 1982 of 9,075 cases and a caseload assumption for fiscal year 1983 of 9,692 cases;
- (g) \$2,034,000 from the state general fund for supplemental security income—additional requirements;
- (h) \$2,116,000 from the state general fund for burial assistance;
- (i) \$2,361,000 (including \$1,475,000 from the state general fund) for employment and training day-care; and
- (j) \$2,468,000 (including \$247,000 from the state general fund) for work incentive payments.

Sec. 43. Section 54, chapter 340, Laws of 1981 as amended by section 48, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
COMMUNITY SOCIAL SERVICES GRANTS PROGRAM

General Fund Appropriation—State	\$	((135,974,000))
		<u>117,861,000</u>
General Fund Appropriation—Federal	\$	((61,049,000))
		<u>84,478,000</u>
General Fund Appropriation—Local	\$	105,000
Total Appropriation	\$	((197,128,000))
		<u>202,444,000</u>

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

(1) ~~\$(45,868,000))~~ 41,511,000 of which \$16,044,000 is from federal funds is provided solely for the provision of chore services to persons at risk of institutionalization who meet the eligibility criteria in RCW ~~((74.08.540))~~ 74.08.541, and for the support of programs utilizing volunteers to provide chore services. ~~((Of that amount; \$28,568,000 is provided for))~~ Out of these moneys, a limited chore service program shall be provided in which services are provided solely on an hourly basis, with a monthly lid on chore service hours which may be authorized. ((12,800,000 is provided for)) Also out of these moneys, chore services shall be provided to clients in need of attendant care whose services are authorized on a monthly rate basis. The department of social and health services shall immediately seek waivers which allow the use of Title XX funds in a lidded program. ((2) \$1,698,000 is provided solely for the provision of)) Within available funds, the department of social and health services shall ensure that the portion of chore services provided in accordance with RCW 74.08.541 is sufficient to ensure that the client's remaining income after purchasing his or her share of chore services is not less than 30% of the state median income adjusted for family size. Chore services may additionally be provided out of

these moneys on a case-by-case exception-to-policy basis to severely handicapped persons in need of attendant care whose income exceeds 30% of the state median income but does not exceed 57% of the state median income. Services may be provided under this subsection only to the extent necessary to allow the individual to remain in his or her own home, and no services may be authorized for more than ninety days at any one time.

~~((3))~~ (2) ~~\$((1,226,000))~~ 1,201,000 of the general fund—state appropriation is provided solely for long-term alcoholism beds.

~~((4))~~ (3) ~~\$((14,330,000))~~ 13,840,000 of the general fund—state appropriation is provided solely for implementation of the senior citizens services act. At least 7.0% of these funds shall be used to develop and implement programs which utilize volunteer workers for the provision of chore services to persons whose need for chore services is not being met by the state chore service program.

~~((5))~~ (4) \$1,148,000 of the general fund—state appropriation is provided solely for the victims of domestic violence program.

~~((6))~~ (5) ~~\$((1,335,000))~~ 833,000 of the general fund—state appropriation, or so much thereof as may be necessary, is provided solely for the migrant day-care program.

~~((7))~~ (6) \$40,000 of the general fund—state appropriation in this subsection is provided solely to complete the child abuse demonstration project directed by RCW 74.13.200.

~~((8))~~ (7) \$600,000 is provided solely for a cost-shared day care program which serves low-income employed parents throughout the remainder of the biennium within the funds provided in this subsection.

(8) \$28,212,000, of which \$26,222,000 is from federal funds, is provided for economic opportunity services previously provided by the planning and community affairs agency.

(9) It is the assumption of the legislature that the appropriations in this section initially provide:

(a) \$15,851,000 (including \$11,559,000 from the state general fund) for alcoholism grants;

(b) \$5,475,000 (including \$4,590,000 from the state general fund) for detoxification;

(c) \$9,558,000 (including \$3,545,000 from the state general fund) for substance abuse grants;

(d) \$2,500,000 from federal funds for Indochinese refugees;

(e) \$17,642,000 from federal funds for aging services under Title III of the federal older Americans act;

(f) \$14,960,000 from the state general fund for the senior citizens services act;

(g) \$4,482,000 (including \$2,275,000 from the state general fund) for crisis residential centers;

(h) \$28,887,000 from the state general fund for congregate care facilities;

(i) \$45,072,000 (including \$38,120,000 from the state general fund) for foster care payments, with a caseload assumption of 5,433 for fiscal year 1982 and a caseload assumption of 5,327 for fiscal year 1983;

(j) \$8,931,000 (including \$1,758,000 from the state general fund) for child care payments;

(k) \$4,816,000 (including \$4,372,000 from the state general fund) for adoption support;

(l) \$43,698,000 (including \$24,132,000 from the state general fund) for chore services;

(m) \$1,148,000 from the state general fund for victims of domestic violence;

(n) \$831,000 (including \$150,000 from the state general fund) for adult day care;

(o) \$2,537,000 (including \$634,000 from the state general fund) for crisis intervention services;

(p) \$1,200,000 from the state general fund for adult family homes; and

(q) \$144,000 from the state general fund for nursing home discharge allowances.

Sec. 44. Section 55, chapter 340, Laws of 1981 as amended by section 49, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
MEDICAL ASSISTANCE GRANTS PROGRAM**

General Fund Appropriation—State	\$	(246,389,000)
		253,219,000
General Fund Appropriation—Federal	\$	(212,923,000)
		212,081,000
Total Appropriation	\$	((459,312,000))
		465,300,000

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

(1) \$43,999,000 of the general fund—state appropriation is provided solely for the medical care of individuals not eligible for categorical assistance. Eligibility standards and scope of service shall be determined by the department of social and health services.

(2) \$34,146,000 of the general fund—state appropriation is provided solely for the medical component of the general assistance—unemployable program.

(3) The legislature supports efforts to maximize the cost benefits of pre-paid risk-sharing contracts in the provision of medical services through health maintenance organizations (HMOs) and individual practice associations (IPAs). The department is directed to seek increased participation of recipients enrolled in these programs. The legislature further supports the use of a hospital reimbursement system based on prospectively established rates. The department shall cooperate with the hospital commission in determining the possible savings to the state of using such a system.

(4) The department of social and health services shall establish by rule a system to insure that these funds are not expended to cover persons who are already covered by private or public programs.

Sec. 45. Section 57, chapter 340, Laws of 1981 as amended by section 51, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
VOCATIONAL REHABILITATION PROGRAM**

General Fund Appropriation—State	\$	((16,154,000))
		11,508,000
General Fund Appropriation—Federal	\$	((27,468,000))
		29,722,000
Total Appropriation	\$	((43,622,000))
		41,230,000

The appropriations in this section are subject to the following condition or limitation: \$7,348,000, of which \$2,094,000 is from state funds, is provided solely for services to the blind.

Sec. 46. Section 59, chapter 340, Laws of 1981 as amended by section 53, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
COMMUNITY SERVICES ADMINISTRATION PROGRAM**

General Fund Appropriation—State	\$	((102,651,000))
		90,661,000

General Fund Appropriation—Federal	\$	((127,224,000))
		<u>114,634,000</u>
General Fund Appropriation—Local	\$	48,000
Total Appropriation	\$	((229,923,000))
		<u>205,343,000</u>

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

(1) The department of social and health services shall monitor and determine the net reduction in income maintenance and medical costs as a result of the employment and training program.

(2) The department of social and health services in conjunction with the employment security department shall seek federal funding to support the placement incentive demonstration project.

(3) The department of social and health service in conjunction with the employment security department shall monitor and determine the net reduction in income maintenance and medical costs as a result of the placement incentive demonstration project.

(4) \$350,000 is provided solely for the sexual assault victims program.

(5) The department shall provide necessary assistance in each community service office to ensure that applicants or recipients of general assistance who may qualify for supplemental security income make prompt application for and actively pursue qualification for the supplemental security income program.

Sec. 47. Section 61, chapter 340, Laws of 1981 as amended by section 54, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

General Fund Appropriation—State	\$	((14,727,000))
		<u>14,285,000</u>
General Fund Appropriation—Local	\$	2,496,000
Total Appropriation	\$	((17,223,000))
		<u>16,781,000</u>

NEW SECTION. Sec. 48. THE PLANNING AND COMMUNITY AFFAIRS AGENCY. Section 62, chapter 340, Laws of 1981, section 55, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is hereby repealed.

Sec. 49. Section 63, chapter 340, Laws of 1981 as amended by section 56, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE HUMAN RIGHTS COMMISSION

General Fund Appropriation—State	\$	((2,488,000))
		<u>2,413,000</u>
General Fund Appropriation—Federal	\$	517,000
Total Appropriation	\$	((3,005,000))
		<u>2,930,000</u>

Sec. 50. Section 66, chapter 340, Laws of 1981 as amended by section 57, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation—State	\$	((5,862,000))
		<u>7,684,000</u>
General Fund—Crime Victims' Compensation		
Account Appropriation	\$	160,000
Accident Fund Appropriation—State	\$	39,401,000
Accident Fund Appropriation—Federal	\$	366,000
Electrical License Fund	\$	7,381,000
Medical Aid Fund Appropriation	\$	33,619,000
Plumbing Certificate Fund	\$	283,000
Pressure Systems Safety Fund	\$	827,000

Total Appropriation \$ ~~((87,899,000))~~
89,721,000

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

(1) General fund expenditures for the building and construction program together with associated indirect cost and salary increase costs shall not exceed general fund revenue from the building and construction program.

(2) \$1,094,000 of the general fund—state appropriation is provided solely for the fiscal year 1982 employment standards and apprenticeship programs. Fiscal year 1983 funding shall be determined on the basis of a legislative budget committee review of the employment standards program within the criteria established in chapter 43.131 RCW and complete a report prior to December 15, 1981. Fiscal year 1983 funding of the apprenticeship program shall be determined on the basis of a legislative study to be completed by January 15, 1982.

(3) \$~~((632,000))~~ 2,630,000 of the general fund—state appropriation is provided solely for victims of crime (~~(pension)~~) benefit payments.

Sec. 51. Section 67, chapter 340, Laws of 1981 as amended by section 58, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF PRISON TERMS AND PAROLES

General Fund Appropriation \$ ~~((2,198,000))~~
2,223,000

Sec. 52. Section 68, chapter 340, Laws of 1981 as amended by section 59, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE HOSPITAL COMMISSION

General Fund Appropriation—State \$ ~~((489,000))~~
474,000

General Fund Appropriation—Federal \$ 128,000

General Fund—Hospital Commission Account
 Appropriation \$ 915,000

Total Appropriation \$ ~~((1,532,000))~~
1,517,000

The appropriations in this section are subject to the following condition or limitation: The hospital commission shall further review the benefits and possible savings to the state of utilizing a reimbursement system based on prospectively established hospital rates.

Sec. 53. Section 69, chapter 340, Laws of 1981 as amended by section 60, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation—State \$ ~~((2,050,000))~~
1,988,000

General Fund Appropriation—Federal \$ 158,908,000

General Fund Appropriation—Local \$ 23,571,000

Administrative Contingency Fund Appropriation—
 Federal \$ 2,231,000

Unemployment Compensation Administration Fund
 Appropriation \$ 93,132,000

Total Appropriation \$ ~~((279,892,000))~~
279,830,000

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

(1) \$729,000 of the general fund—state appropriation is provided solely for work orientation of ex-offenders.

(2) \$300,000 of the general fund—state appropriation is provided solely for a placement incentive demonstration project to serve AFDC-R recipients who have been on assistance for three consecutive years or more and have been determined to have the most severe barriers to employment.

The goal of this program is to establish a demonstration program that will use performance-based contracts to achieve full-time job placement and ensure long-term job retention. Not more than \$1,000 may be spent per participant and the payment schedule shall be structured to ensure incentive is built-in with twelve-month job retention for a minimum of 50% of the participants. The results of this program will be analyzed and evaluated and a written report will be submitted to the legislature by January, 1983. The report shall also contain comparative analysis of other similar employment and training programs including the employment and training program of the department of social and health services. The employment security department shall cooperate with the department of social and health services in seeking federal funds for this program and in monitoring savings in income maintenance and medical assistance as a result.

Jobs services employees and job services related activities are not subject to the reductions provided in this 1982 amendatory act.

NEW SECTION. Sec. 54. THE COMMISSION FOR THE BLIND. Section 70, chapter 340, Laws of 1981, section 61, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is hereby repealed.

Sec. 55. Section 71, chapter 340, Laws of 1981 as amended by section 62, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE JAIL COMMISSION

General Fund Appropriation	\$	((350,000))
		<u>339,000</u>
General Fund—Local Jail Improvement and Construction Account Appropriation	\$	511,000
Total Appropriation	\$	((861,000))
		<u>850,000</u>

Sec. 56. Section 72, chapter 340, Laws of 1981 as amended by section 63, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE ENERGY OFFICE

General Fund Appropriation—State	\$	((1,105,000))
		<u>1,005,000</u>
General Fund Appropriation—Federal	\$	4,641,000
Total Appropriation	\$	((5,746,000))
		<u>5,646,000</u>

Sec. 57. Section 73, chapter 340, Laws of 1981 as amended by section 64, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund Appropriation	\$	((68,000))
		<u>66,000</u>

Sec. 58. Section 74, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State	\$	((20,093,000))
		<u>17,515,000</u>
General Fund Appropriation—Federal	\$	14,380,000
General Fund—Special Grass Seed Burning Research Account Appropriation	\$	35,000
General Fund—Reclamation Revolving Account Appropriation	\$	580,000

General Fund—Litter Control Account Appropriation	\$	4,110,000
Stream Gaging Basic Data Fund Appropriation	\$	200,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26).....	\$	54,315,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Reappropriation (Referendum 26)	\$	61,797,000
General Fund—Water Pollution Control Facilities Account Appropriation.....	\$	50,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27).....	\$	7,284,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation (Referendum 27)	\$	4,700,000
General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.	\$	7,358,000
General Fund—Emergency Water Project Revolving Account: Reappropriation	\$	6,500,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38).....	\$	18,095,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39)	\$	84,780,000
Total Reappropriation	\$	72,997,000
Total New Appropriation.....	\$	((211,280,000))
		<u>208,702,000</u>
Total Appropriation	\$	((284,277,000))
		<u>281,699,000</u>
((FTE Staff Years—Fiscal Year 1982.....		<u>509.5</u>
FTE Staff Years—Fiscal Year 1983.....		<u>512.1</u>))

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

(1) On or before October 1, 1981, the department of ecology shall file with the committees on ways and means of the senate and house of representatives a master compilation by project type of those projects proposed for funding during the 1981–83 biennium from the appropriations for waste disposal facilities and water supply facilities. A separate compilation shall be supplied for each referendum bond issue. The department shall submit updates for the master compilation to the committees on ways and means at six-month intervals during the 1981–83 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering the projects. If the department proposes to change or modify any project list on the master compilation, it shall give the committees on ways and means thirty days' written notice of the change or modification prior to the expenditure or obligation of any funds appropriated by this section. The

department shall immediately inform the committees of significant changes from historic federal funding levels for waste disposal facilities and water supply facilities.

(2) The appropriation from the state and local improvements revolving account—water supply facilities (Referendum 27) may be expended to pay up to 50% of the eligible cost of any project, as a grant or loan or combination thereof. Also, the department may lend up to 100% of the eligible costs of preconstruction activities and the department may provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(3) The appropriation from the state and local improvements revolving account—waste disposal facilities (Referendum 26) may be expended by the department to pay for up to 50% of the eligible cost of any project, as a grant or up to 100% as a loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(4) The appropriation from the state and local improvements revolving account—waste disposal facilities 1980 (Referendum 39) may be expended by the department to pay up to 75% of the eligible cost of any project as a grant or up to 100% as a loan, or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(5) \$130,000 of the general fund—state appropriation is provided solely to augment current department planned expenditures for the assessment of sources of, and abatement programs for, toxic substances in Commencement Bay and its waterways. Of that amount:

(a) \$90,000 is for field and laboratory studies and activities needed for determining the source or sources of toxic substances in Commencement Bay and its waterways; and

(b) \$40,000 is for collecting and analyzing samples of sediments from any deep water portions of Commencement Bay that have been utilized for waste disposal sites, for the purpose of identifying the nature and extent of the wastes deposited.

(6) \$1,306,000 of the general fund—state appropriation is provided solely for the vehicle emission inspection program.

Sec. 59. Section 75, chapter 340, Laws of 1981 as amended by section 66, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE ENVIRONMENTAL HEARINGS OFFICE

General Fund Appropriation	\$	((591,000))
		<u>573,000</u>

Sec. 60. Section 76, chapter 340, Laws of 1981 as amended by section 67, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund Appropriation—State	\$	((25,019,000))
		<u>24,268,000</u>
General Fund Appropriation—Federal	\$	185,000
General Fund Appropriation—Private/Local	\$	467,000
General Fund—Trust Land Purchase Account Appropriation	\$	((5,498,000))
		<u>5,573,000</u>

General Fund—Winter Recreation Parking Account Appropriation	\$	64,000
General Fund—Outdoor Recreation Account Approp- riation	\$	81,000
General Fund—Snowmobile Account Appropriation	\$	555,000

Motor Vehicle Fund Appropriation.....	\$	600,000
Total Appropriation	\$	((32,469,000)) 31,793,000

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

(1) A maximum of \$140,000 may be expended for continuation of contractual agreements with Grays Harbor and Pacific counties for beach patrol and law enforcement on North Beach, South Beach, and Long Beach.

(2) \$104,000 is provided solely for a manual campsite reservation system.

(3) A maximum of \$193,000 may be expended for a lifeguard program.

(4) A maximum of \$80,000 may be expended for the operation of the Goldendale Observatory.

(5) No moneys appropriated in this section may be expended for an agreement with the department of transportation for maintenance of the restroom at Snoqualmie Pass.

(6) \$700,000 may be expended for facility maintenance.

(7) \$162,000 may be expended for law enforcement, including an agreement with the Washington state patrol.

(8) \$75,000 is provided solely to determine the potential long-range alternative uses of the St. Edwards facility. The study shall include all potential uses, including but not limited to recreation. The results of the study shall be reported to the legislature not later than December 1, 1981.

(9) \$36,000 of this general fund—state appropriation is provided solely to provide minimal heat, air circulation, water and maintenance necessary to prevent the deterioration of the St. Edwards facility.

(10) \$15,000 may be expended to implement the recommendations of the Mt. St. Helens recreation and tourism task group for the operation of Seaquest state park tourist information center and various viewpoints and sanitary facilities.

(11) \$75,000 is provided solely for the implementation of a boat moorage fee program at selected state parks to be determined by the state parks and recreation commission.

Sec. 61. Section 78, chapter 340, Laws of 1981 as amended by section 68, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund Appropriation—State.....	\$	((309,000)) 299,000
General Fund Appropriation—Federal.....	\$	205,000
Total Appropriation	\$	((514,000)) 504,000

Sec. 62. Section 80, chapter 340, Laws of 1981 as amended by section 69, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

General Fund Appropriation—State.....	\$	((8,190,000)) 8,140,000
General Fund Appropriation—Federal.....	\$	391,000
Motor Vehicle Fund Appropriation.....	\$	395,000
Total Appropriation	\$	((8,976,000)) 8,926,000

Sec. 63. Section 81, chapter 340, Laws of 1981 as amended by section 70, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

General Fund Appropriation—State.....	\$	((34,672,000))
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	<u>33,632,000</u>
General Fund Appropriation—Federal	\$ 5,777,000
General Fund Appropriation—Private/Local	\$ 1,873,000
General Fund—Lewis River Hatchery Account	
Appropriation	\$ 27,000
Total Appropriation	\$ ((42,349,000))
	<u>41,309,000</u>

The appropriations in this section are subject to the following condition or limitation: \$211,000 of the general fund—state appropriation is provided solely for bait fish and ling cod enhancement efforts.

Sec. 64. Section 83, chapter 340, Laws of 1981 as amended by section 71, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation—State	\$ ((21,418,000))
	<u>20,775,000</u>
General Fund Appropriation—Federal	\$ 1,354,000
General Fund—ORV (Off-Road Vehicle) Account	
Appropriation	\$ 1,711,000
General Fund—Forest Development Account Appropriation	\$ 16,669,000
General Fund—State Timber Tax Reserve Account	
Appropriation	\$ 414,000
General Fund—Landowner Contingency Forest Fire Suppression Account Appropriation	\$ 1,878,000
General Fund—Resource Management Cost Account	
Appropriation	\$ 49,977,000
Total Appropriation	\$ ((93,421,000))
	<u>92,778,000</u>

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

(1) \$1,782,000 of the general fund—state appropriation is provided solely for emergency fire suppression. The funds shall also be available for interfund loans with the landowner contingency forest fire suppression account.

(2) ~~(((\$1,997,000 shall be expended for the operation of the Clearwater, Olympic, Larch Mountain, Indian Ridge, Cedar Creek, Maple Lane, Naselle, and Mission Creek Honor Camps.~~

~~((3))~~ Up to \$13,000,000 of the resource management cost account appropriation may be substituted by additional forest development account funds in excess of the appropriation. Any funds so replaced shall not be expended for any purpose.

~~((4))~~ A maximum of \$1,832,000 of the general fund—state appropriation may be expended for the geology and earth resources program.

~~((5))~~ (3) \$40,000 of the resource management cost account appropriation is provided solely for lake management.

~~((6))~~ (4) The department of natural resources shall provide a report on the urban lands program to the committees on ways and means of the house of representatives and the senate by December 1, 1981. The report shall include an inventory of urban lands, a management plan for each urban parcel, involvement in land use planning, and any other information necessary for policy determination.

Sec. 65. Section 84, chapter 340, Laws of 1981 as amended by section 72, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation—State	\$ ((8,475,000))
	<u>8,221,000</u>
General Fund Appropriation—Federal	\$ 777,000

General Fund—Feed and Fertilizer Account Appropriation	\$	29,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation	\$	358,000
Commercial Feed Fund Appropriation—State	\$	311,000
Commercial Feed Fund Appropriation—Federal	\$	22,000
Seed Fund Appropriation	\$	913,000
Nursery Inspection Fund Appropriation	\$	270,000
Grain and Hay Inspection Fund Appropriation	\$	17,278,000
Total Appropriation	\$	((28,433,000)) <u>28,179,000</u>

The appropriations in this section are subject to the following condition (~~and~~) or limitation: A maximum of \$13,000 of the general fund—state appropriation shall be expended for starling control.

Sec. 66. Section 85, chapter 340, Laws of 1981 as amended by section 73, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund Appropriation	\$	((9,412,000)) <u>9,130,000</u>
General Fund—Architects' License Account Appropriation	\$	173,000
General Fund—Opticians' Account Appropriation	\$	33,000
General Fund—Optometry Account Appropriation	\$	81,000
General Fund—Professional Engineers' Account Appropriation	\$	478,000
General Fund—Real Estate Commission Account Appropriation	\$	3,444,000
General Fund—Board of Psychological Examiners Account Appropriation	\$	42,000
Game Fund Appropriation	\$	148,000
Highway Safety Fund Appropriation	\$	33,286,000
Motor Vehicle Fund Appropriation	\$	27,399,000
Total Appropriation	\$	((74,496,000)) <u>74,214,000</u>

Sec. 67. Section 5, chapter 289, Laws of 1981 (uncodified) is amended to read as follows:

There is appropriated to the environmental policy commission from the general fund for the biennium ending June 30, 1983, the sum of (~~fifty~~) forty-two thousand dollars, to carry out the purposes of this act.

Sec. 68. Section 86, chapter 340, Laws of 1981 as amended by section 74, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)

General Fund Appropriation—State	\$	((12,314,000)) <u>11,945,000</u>
General Fund Appropriation—Federal	\$	5,981,000
General Fund—Traffic Safety Education Account Appropriation	\$	460,000
Total Appropriation	\$	((18,755,000)) <u>18,386,000</u>

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

(1) A maximum of \$460,000 may be expended for the state office administration of the traffic safety education program.

(2) The superintendent shall ensure that data reported by school districts for reimbursement and state budget planning purposes is accurate and timely.

(3) The Superintendent of Public Instruction shall not reduce the scoliosis screening program established under RCW 28A.31.132 through 28A.31.142 below the level established under chapter 340, Laws of 1981 as enacted during the 1981 regular session of the Legislature.

Sec. 69. Section 87, chapter 340, Laws of 1981 as amended by section 75, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION FORMULA FOR FISCAL YEARS 1982 AND 1983

General Fund Appropriation	\$	((2,583,966,000))
		<u>2,584,868,000</u>
General Fund—State Timber Tax Reserve Account	\$	4,000,000
Total Appropriation	\$	((2,587,966,000))
		<u>2,588,868,000</u>

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

(1) For purposes of this act and compliance with chapter 16, Laws of 1981, the superintendent of public instruction shall ensure that no district provides salary and compensation increases from any fund source whatsoever in excess of those amounts for insurance benefit increases and/or for those percentages for salary increases as specified in this act and LEAP Document 5: PROVIDED, That for the 1981–82 school year, if a school district is in violation of chapter 16, Laws of 1981, or chapter 340, Laws of 1981, as now or hereafter amended, the superintendent shall withhold the lesser of five percent or an amount equal to the level of violation when applied to the district's respective basic education allocation, until such time as the school district comes into compliance: PROVIDED FURTHER, That for the 1982–83 school year, the superintendent shall withhold five percent of a district's respective basic education allocation if the school district violates any provision of this act or chapter 16, Laws of 1981 until such time as a school district comes into compliance: PROVIDED FURTHER, That provisions of any contract in force as of the effective date of chapter 16, Laws of 1981, for school years 1981–82 and 1982–83 that conflict with the provisions of this act may continue in effect and no funds shall be withheld as a result of such contracts: PROVIDED FURTHER, That provisions of a contract in compliance with chapter 16, Laws of 1981, and chapter 340, Laws of 1981, entered into prior ((to November —, 1981;)) to the effective date of this 1982 act, for the 1982–83 school year that conflicts with provisions of this 1981 amendatory act may continue in effect and no funds shall be withheld as a result of such contracts.

(2)(a) The appropriations in this section and allocation authorized by sections 87 through 91 of this act per annual average full time equivalent student shall constitute 100% of formula as provided in RCW 28A.41.130 as now or hereafter amended.

(b) If the system-wide staff mix factor exceeds 1.6182, the superintendent of public instruction shall make such adjustments as are required to remain within the amounts generated by the staff mix assumption for the total appropriation.

(3) Formula allocation of certificated staff units shall be determined as follows:

(a) One certificated staff unit for each average annual twenty full time equivalent kindergarten, elementary, and secondary students, excluding secondary vocational full time equivalent students enrolled in a vocational program approved by the superintendent of public instruction.

(b) One certificated staff unit for each average annual eighteen and three-tenths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction.

(c) For districts enrolling not more than one hundred average annual full time equivalent students (except as otherwise specified) and for small school plants within any school district, which small plants have been judged to be remote and necessary by the state board of education, certificated staff units shall be determined as follows:

(i) For grades K-6, for enrollments of not more than sixty annual average full time equivalent students, three certificated staff units;

(ii) For grades K-6, for enrollments above sixty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(iii) For grades 7 and 8, for enrollments of not more than twenty annual average full time equivalent students, one certificated staff unit;

(iv) For grades 7 and 8, for enrollment above twenty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(v) For each nonhigh school district having an enrollment of more than seventy annual average full time equivalent students and less than one hundred eighty students, operating a K-8 program or 1-8 program, an additional one-half of a certificated staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW;

(vi) For each nonhigh school district having an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, operating a K-6 or 1-6 program, an additional one-half of a certificated staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(d) For districts operating high schools with enrollments of not more than three hundred average annual full time equivalent students, certificated staff units shall be determined as follows:

(i) Nine and one-half certificated staff units for the first sixty annual average full time equivalent students;

(ii) Additional certificated staff units based upon a ratio of one certificated staff unit per forty-three and one-half average annual full time equivalent students.

(4)(a) For nonemployee related costs with each certificated staff unit determined under subsection (3) (a), (c), and (d) of this section, there shall be provided a maximum of \$4,572 per staff unit in the 1981-82 school year and a maximum of \$4,966 per staff unit in the 1982-83 school year.

(b) For nonemployee related costs with each certificated staff unit determined under subsection (3)(b) of this section, there shall be provided a maximum of \$8,000 per staff unit in the 1981-82 school year and a maximum of \$8,641 per staff unit in the 1982-83 school year.

(5) Formula allocation of classified staff units shall be determined as follows:

(a) One classified staff unit per each three certificated staff units determined under subsection (3) (a), (c), and (d) of this section;

(b) One classified staff unit for each sixty full time equivalent vocational students enrolled; and

(c) For each nonhigh school district with an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(6) The superintendent of public instruction shall distribute a maximum of \$565,000 outside of the basic education allocation to school districts for fire protection districts at a rate of \$1.00 per year for each student attending a school located

in an unincorporated area within a fire protection district as mandated by RCW 52.36.020; a maximum of \$280,000 for the 1981-82 school year, and a maximum of \$285,000 for the 1982-83 school year.

(7) The general fund—state appropriation contained in this section includes all funds received by the state pursuant to Title 16, section 500, United States Code (federal forest funds) which are distributed to the general fund for the benefit of public schools in accordance with RCW 36.33.110. Within thirty days of receipt within the state treasury, the superintendent of public instruction shall distribute such federal forest funds to each eligible school district in an amount not to exceed that which the district would have received in accordance with the basic education apportionment for the previous year. Funds determined to be in excess of that amount shall be distributed to the county for distribution to the school districts within the county in accordance with RCW 36.33.110: PROVIDED, That if the amount received by any district pursuant to this appropriation is less than the basic education allocation which the district would otherwise receive, the superintendent of public instruction shall allocate from basic education funds to the district an amount equal to the difference between the amount received under this appropriation and the amount the district would otherwise receive under the basic education act.

(8) The superintendent of public instruction may distribute a maximum of \$250,000 for school district emergencies outside of the basic education allocation.

(9) Not more than \$4,518,000 of the appropriation contained in this section shall be expended for districts which experience an enrollment decline in the 1981-82 school year from the 1980-81 base enrollment level and in the 1982-83 school year from the 1981-82 base enrollment level. The superintendent of public instruction shall distribute funds based on certificated staff units in the 1981-82 (~~and~~ +1982-83) school year(s) to such districts on the basis of current school year enrollment plus one quarter of the amount of the enrollment decline from the prior school year level. The superintendent of public instruction, in ascertaining the full time equivalent enrollment under this section for any school district declining in enrollment at a rate of at least four percent, or three hundred full time equivalent students, whichever is less, from the immediately preceding school year, shall increase the enrollment as otherwise herein computed by twenty-five percent of the full time equivalent pupil enrollment loss from the previous school year.

(10) No cash balances or cash reserves of any school district may be confiscated by the state nor used as a local revenue deduction when apportionment funds from this section are distributed to school districts.

Sec. 70. Section 88, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

SALARY AND COMPENSATION DEFINITIONS

For purposes of sections 87 through 104 of this act, the following definitions apply:

(1) "LEAP Document ((2)) 4" means the computer tabulation of 1980-81 derived base salaries for basic education certificated staff, 1980-81 average salaries (derived) for basic education classified staff and 1981-82 and 1982-83 salary increase percentages which was developed by the legislative evaluation and accountability program committee on (~~April 20, 1981, at 2:02 p.m.~~) March 21, 1982, at 5:39 p.m.

(2) "LEAP Document 5" means the computer tabulation of 1980-81 derived base salaries for basic education certificated staff, 1980-81 average salaries (derived) for basic education classified staff and 1981-82 and 1982-83 salary increase percentages which was developed by the legislative evaluation and accountability program committee on March 21, 1982, at 6:10 p.m.

(3) "State-supported staff" means state-funded staff in the following programs: Basic education (program 00), general instructional support (program 94), general support (program 97), secondary vocational education (program 30), handicapped (program 21) exclusive of any staff funded in the block grant program under section 100 of this act, vocational-technical institutes/adult education (programs 47 and 48), state institutions (program 46), educational service districts, and transportation (program 99).

~~((3))~~ (4) "Incremental fringe benefits" means 7% for certificated staff and 14% for unclassified staff, which percentage shall be applied to salary increases and is for employer contributions to old age survivor's insurance, workers' compensation, unemployment compensation, and retirement benefits under the public employees' retirement system (chapter 41.40 RCW).

Sec. 71. Section 89, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

(1) For purposes of determining the 1981-82 and 1982-83 staff mix factor by district for basic education allocation purposes, the following definitions apply:

(a) Basic education certificated staff includes all full time equivalent certificated staff in the following programs:

- (i) Basic education (program 00);
- (ii) Secondary vocational education (program 30);
- (iii) General instructional support (program 94);
- (iv) General support (program 97).

(b) The 1980-81 derived base salary used for basic education allocation purposes shall be that which is specified for each district in LEAP Document ((2)) 4.

(c) The staff mix factor table developed by the legislative evaluation and accountability program committee (LEAP) (reference LEAP Document 1) in use for school years 1979-80 and 1980-81 shall be employed to calculate each district's base salary and staff mix for basic education certificated staff for 1981-82 and 1982-83.

(2) The 1980-81 basic education average classified salary for allocation purposes shall be that specified for each district in LEAP Document ((2)) 4 and shall be for all full time equivalent classified staff in the following programs:

- (a) Basic education (program 00);
- (b) Secondary vocational education (program 30);
- (c) General instructional support (program 94);
- (d) General support (program 97).

Sec. 72. Section 90, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

BASIC EDUCATION ALLOCATION—CALCULATION OF CERTIFICATED STAFF COMPENSATION

(1) Total certificated compensation entitlement for school year 1981-82 for a particular school district shall be the sum of the following:

(a) Maintenance of compensation, calculated using that district's 1980-81 derived base salary established by LEAP Document ((2)) 4 multiplied by the number of basic education certificated staff units determined pursuant to section 87 of this act multiplied by that district's particular 1981-82 average staff mix factor improved by 7.41%;

(b) The 1981-82 certificated staff salary increase for that district as specified in LEAP Document ((2)) 4;

(c) Maintenance of insurance benefits at the rate of \$95 per month per certificated full time equivalent staff units determined pursuant to section 87 of this act;

(d) The 1981-82 insurance benefit increases provided in section 92 of this act per certificated staff unit determined pursuant to section 87 of this act.

(2) Total certificated compensation entitlement for school year 1982-83 for a particular school district shall be equal to the sum of the following:

(a) Maintenance of compensation shall be calculated by using that district's 1980-81 derived base salary established by LEAP Document ((2)) 4 improved by the percentage salary increase specified in LEAP Document ((2)) 4 for 1981-82 multiplied by the number of basic education staff units determined pursuant to section 87 of this act multiplied by that district's particular 1982-83 average staff mix factor improved by 7.43%;

(b) The 1982-83 certificated staff salary increase for that district as specified in LEAP Document ((2)) 4;

(c) Maintenance of insurance benefits at the rate of \$95 per month per certificated full time equivalent staff units determined pursuant to section 87 of this act;

(d) The insurance benefit increases per full time equivalent certificated staff unit determined pursuant to section 87 of this act at rates specified in section 92 of this act for the 1981-82 school year and the 1982-83 school year.

Sec. 73. Section 91, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

BASIC EDUCATION ALLOCATION—CALCULATION OF CLASSIFIED STAFF COMPENSATION

(1) Total 1981-82 basic education classified compensation entitlement for a particular school district shall be the sum of the following:

(a) Maintenance of classified compensation for a particular school district shall be equal to the classified staff units determined pursuant to section 87 of this act multiplied by the 1980-81 average classified salary established by LEAP Document ((2)) 4 for that district improved by 16.55%;

(b) The 1981-82 classified staff salary increase for that district as specified in LEAP Document ((2)) 4;

(c) Maintenance of insurance benefits at the rate of \$95 per month per classified full time equivalent staff units determined pursuant to section 87 of this act;

(d) The 1981-82 insurance benefit increases specified in section 92 of this act per full time equivalent classified staff unit determined pursuant to section 87 of this act.

(2) Total 1982-83 basic education classified compensation entitlement for a particular school district shall be the sum of the following:

(a) Maintenance of classified compensation for a particular school district shall be equal to the classified staff units determined pursuant to section 87 of this act multiplied by the 1980-81 average classified salary established in LEAP Document ((2)) 4 for that district improved by the 1981-82 percentage salary increase specified in LEAP Document ((2)) 4 for that district improved by 16.55%;

(b) The 1982-83 classified salary increase for that district as specified in LEAP Document ((2)) 4;

(c) Maintenance of insurance benefits at the rate of \$95 per month per classified full time equivalent staff units determined pursuant to section 87 of this act;

(d) The insurance benefit increases per full time equivalent classified staff unit determined pursuant to section 87 of this act at rates specified in section 92 of this act for the 1981-82 school year and the 1982-83 school year.

Sec. 74. Section 92, chapter 340, Laws of 1981 as amended by section 76, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

SALARY AND COMPENSATION INCREASES

General Fund Appropriation	\$ ((152,352,000))
	<u>107,763,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) Increases provided by this section shall be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(2) Salary and insurance benefit increase funds shall be allocated by the superintendent of public instruction as specified in this section and may be expended by school districts for any state funded activity.

~~(3) ((The 1982-83 salary and incremental fringe benefit increase allocation provided by this section shall be implemented on January 1, 1983, to each local school district on the basis of the RCW 28A.48.010 monthly schedule for the applicable months during the 1982-83 state fiscal year.~~

~~(4))~~ A maximum of \$~~((83,742,000))~~ 54,998,000 for the 1981-83 biennium may be expended for provision of basic education state-supported certificated staff salary increases as provided in LEAP Document 4 and concomitant incremental fringe benefits. Local school district percentage salary increases under this section, excluding incremental fringe benefits and including any relevant increases as a result of the provisions of subsection ~~((8))~~ (7) (b) and (c) of this section, shall not exceed the percentages specified in LEAP Document ~~((2))~~ 5.

~~((5))~~ (4) A maximum of \$~~((18,910,000))~~ 12,203,000 for the 1981-83 biennium may be expended for provision of basic education state-supported classified staff salary increases as provided in LEAP Document 4 and concomitant incremental fringe benefits. Local school district percentage increases provided under this section, excluding incremental fringe benefits and including any relevant increases as a result of the provisions of subsection ~~((8)(b))~~ (7)(b) of this section, shall not exceed the percentages specified in LEAP Document ~~((2))~~ 5.

~~((6))~~ (5) A maximum of \$~~((34,430,000))~~ 30,046,000 for the 1981-83 biennium may be expended for insurance benefit increases for state-supported basic education certificated and classified staff at a rate of \$26 per month per full time equivalent staff unit in 1981-82 and an additional \$~~((16))~~ 9 per month in 1982-83.

~~((7))~~ (6) A maximum of \$~~((15,270,000))~~ 10,516,000 for the 1981-83 biennium for state-supported staff salary, insurance benefit increases, and concomitant incremental fringe benefits for educational service district staff, institutional education staff (program 46), vocational-technical institutes/adult basic education (programs 47 and 48), handicapped program staff (program 21) and transportation staff (program 99), to be distributed at rates and/or percentages not exceeding those specified for the basic education certificated or classified staff, as the case may be, of a district using the pertinent program derived base salary and staff mix factor for certificated staff and average salary for classified staff. Educational service district staff shall receive salary increases funded from this appropriation at the support level provided in section 99 of this act at a rate of 6.87% in 1981-82 and ~~((7.35% in 1982-83, effective January 1, 1983, and))~~ insurance benefit increases at the same rate as provided in subsection ~~((6))~~ (5) of this section. Educational service districts, institutional education (program 46) and vocational-technical institutes/adult basic education (programs 47 and 48) shall receive first draw from this appropriation.

~~((8))~~ (7) For purposes of chapter 16, Laws of 1981, the following conditions and limitations shall apply:

(a) Districts may provide salary and insurance benefit increases for nonstate-supported activities at rates not exceeding those specified by LEAP Document ~~((2))~~ 5 for state-supported basic education certificated staff in each school year of the biennium for each district.

(b) That part of insurance benefits granted employees that are in excess of:

(i) \$121 per full time equivalent staff unit in 1981-82 shall constitute a portion of the salary increase specified in LEAP Document ~~((2))~~ 5: PROVIDED, That if insurance benefits granted employees in 1980-81 were in excess of \$121 per full time equivalent staff unit then only that part granted to employees for 1981-82 in

excess of the 1980-81 level shall constitute a portion of the salary increase specified in LEAP Document ((2)) 5.

(ii) \$137 per full time equivalent staff unit in 1982-83 shall constitute a portion of the salary increase specified in LEAP Document ((2)) 5: PROVIDED, That if insurance benefits granted employees in 1981-82 were in excess of \$137 per full time equivalent staff unit then only that part granted to employees for 1982-83 in excess of the 81-82 level shall constitute a portion of the salary increase specified in LEAP Document ((2)) 5.

(c) Increments granted by school districts to certificated staff shall constitute salary increase only to the extent that the aggregate of increments granted by a district in accordance with its salary schedule exceeds the aggregate of increments which are provided pursuant to LEAP Document 1.

~~((9))~~ (8) A district shall not be in violation of this section or chapter 16, Laws of 1981, as a result of corrections to the reported staff mix data in the 1980-81 ~~((or))~~, 1981-82, or 1982-83 school years as long as the average salary for the 1981-82 and 1982-83 school year, respectively, does not exceed the average salary that would have been generated through consistent application of the incorrect base salary and staff mix in the 1981-82 and 1982-83 school year, respectively.

~~((10))~~ ~~The salary increase for the 1982-83 fiscal year shall take effect January 1, 1983.~~ (9) The 1982-83 salary increase for the school districts eligible for an increase pursuant to LEAP Document 4 shall take effect on March 1, 1983.

(10) If Engrossed Substitute House Bill No. 1226 is enacted and makes provision for a salary increase for common school employees, school districts are authorized to grant the increase as specified in Engrossed Substitute House Bill No. 1226.

Sec. 75. Section 95, chapter 340, Laws of 1981 as amended by section 78, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-TECHNICAL INSTITUTES

General Fund Appropriation	\$	((41,168,000))
		41,323,000

The appropriation in this section is subject to the following conditions and limitations:

(1) (a) The 1981-82 school year appropriation is based on an enrollment of 9,561 full time equivalent students at a state support level per student of \$2,063, not including salary and insurance benefit increases.

(b) The 1982-83 school year appropriation is based on an enrollment of 9,905 full time equivalent students at a state support level per student of \$2,136, not including salary and insurance benefit increases.

(2) A maximum of \$533,000 of this appropriation may be expended for adult education.

Sec. 76. Section 99, chapter 340, Laws of 1981 as amended by section 81, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund Appropriation—State	\$	((3,986,000))
		3,946,000
State Funding Sources	\$	3,373,000
Total Appropriation	\$	((7,359,000))
		7,319,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Educational service districts shall be apportioned funds based upon the following schedule:

	General Fund—State	State Funding Sources
E.S.D. No. 101	\$((505,000))	\$562,000
	<u>501,000</u>	
E.S.D. No. 105	\$((484,000))	\$269,000
	<u>479,000</u>	
E.S.D. No. 112	\$((407,000))	\$453,000
	<u>403,000</u>	
E.S.D. No. 113	\$((434,000))	\$483,000
	<u>430,000</u>	
E.S.D. No. 114	\$((374,000))	\$208,000
	<u>370,000</u>	
E.S.D. No. 121	\$((356,000))	\$396,000
	<u>352,000</u>	
E.S.D. No. 123	\$((472,000))	\$262,000
	<u>467,000</u>	
E.S.D. No. 171	\$((577,000))	\$321,000
	<u>571,000</u>	
E.S.D. No. 189	\$((377,000))	\$419,000
	<u>373,000</u>	
Total	\$((3,986,000))	\$3,373,000
	<u>3,946,000</u>	

(2) School districts in the respective educational service districts shall provide the amounts specified from state funding sources accruing under section 87 of this act on a per capita enrollment basis prior to June 30th of each school year.

(3) Educational service districts may provide additional services, not funded under this section but desired by school districts, by billing the school districts desiring the services for the cost of the services.

(4) Educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.21.088 (3) and (4).

Sec. 77. Section 100, chapter 340, Laws of 1981 as amended by section 82, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR BLOCK GRANTS

General Fund Appropriation—State \$ ((~~+09,160,000~~))
108,557,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$46,285,000 may be expended in the 1981–82 fiscal year for provision of programs as delineated in subsection (3) of this section to be distributed on a pro rata basis by the superintendent of public instruction to school districts on the basis of the amount of state funds received by each school district on an annual average full time equivalent enrollment for the 1980–81 school year using the following: Bilingual program; gifted program; urban and rural racially disadvantaged program; remediation program; and state funds received for specific learning disabled students, behaviorally disabled students, and communication disordered students.

(2) A maximum of \$((~~60,289,000~~)) 59,076,000 may be expended for the 1982–83 fiscal year to be distributed by the superintendent of public instruction as follows:

(a) One-third of the funds shall be distributed on the basis of each district's annual average full time equivalent enrollment adjusted by the ratio of a district's recognized basic education average certificated salary to the state-wide average recognized basic education average certificated salary.

(b) The remaining funds shall be distributed on the same basis as funds were distributed in the 1981-82 school year pursuant to subsection (1) of this section.

(3) The funds allocated by this section may be expended by school districts for provision of special instructional programs, including but not limited to: Remediation assistance programs; cultural enrichment programs; transitional bilingual programs; preschool education programs; alternative education programs; community involvement programs (including PUSH-EXCEL); environmental education programs; education for superior students programs; Indian education programs; Pacific Science Center programs; and programs for the specific learning disabled, communication disordered, and behaviorally disordered.

(4) From the dollars allocated per student, the superintendent may charge a state-wide or regional fee to maintain programs of state-wide or regional benefit, provided school boards representing a majority of the population agree to the fee.

(5) \$2,966,000 is provided solely for support of Indochinese refugee educational programs.

(6) The superintendent of public instruction shall contract \$230,000 for services to support an approved gifted program to be conducted at Fort Worden state park.

(7) Salary and benefits increases are included in the funds allocated by this section.

Sec. 78. Section 101, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE INSTITUTIONAL EDUCATION PROGRAMS

General Fund Appropriation—State	\$	((15,438,000))
		<u>15,361,000</u>
General Fund Appropriation—Federal	\$	5,560,000
Total Appropriation	\$	((20,998,000))
		<u>20,921,000</u>

Sec. 79. Section 105, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL CLINICS

General Fund Appropriation	\$	((1,000,000))
		<u>990,000</u>

Sec. 80. Section 107, chapter 340, Laws of 1981 as amended by section 83, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

General Fund Appropriation—State	\$	((378,408,000))
		<u>366,178,000</u>
General Fund Appropriation—Federal	\$	271,000
Total Appropriation	\$	((378,679,000))
		<u>366,449,000</u>

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

(1) A maximum of \$2,608,000 may be spent for the small school adjustment to Whatcom, Olympia Technical, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, Lower Columbia, and Walla Walla Community Colleges. The distribution of such funds shall be based on a percent of formula entitlement for faculty staffing which shall be increased at the rate of one percentage point above the 71.0% base level for each 100 full time equivalent students below the 2,500 full time equivalent student enrollment level, except that no community college shall be funded in excess of 86.0% of formula.

(2) At least \$227,291 shall be expended for the purchase and maintenance of equipment to access the higher education personnel payroll system.

(3) In making reductions in funds, no reductions shall be made affecting tuition waivers for the parenting education program.

(4) A maximum of \$71,854,988 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

(5) (a) Enrollments which are attributable to ungraded courses, excluding adult basic education, for which operating fees are waived in whole or part shall be reduced by a percentage calculated by dividing the waived operating fees by the total operating fees and multiplying by twenty-three percent.

(b) As used in this subsection (5):

(i) "Waived operating fees" means the operating fees waived for an enrollment under RCW 28B.15.502(4); and

(ii) "Total operating fees" means the operating fees which would have been paid for an enrollment if no waiver had been granted.

Sec. 81. Section 108, chapter 340, Laws of 1981 as amended by section 84, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund Appropriation	\$	((280,102,000))
		278,619,000
Accident Fund Appropriation	\$	1,027,000
Medical Aid Fund Appropriation	\$	1,027,000
University of Washington Building Account Appropria- tion	\$	((55,355,000))
		48,304,000
Total Appropriation	\$	((337,511,000))
		328,977,000

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

(1) \$1,600,000 is provided solely for family medicine education.

(2) A maximum of \$51,831,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 82. Section 109, chapter 340, Laws of 1981 as amended by section 85, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY

General Fund Appropriation	\$	((172,832,000))
		167,974,000
Washington State University Building Account Appropria- tion	\$	18,200,000
Total Appropriation	\$	((191,032,000))
		186,174,000

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

(1) A maximum of \$380,000 may be expended for federal matching purposes for the small business development center.

(2) A maximum of \$24,315,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 83. Section 110, chapter 340, Laws of 1981 as amended by section 86, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((54,417,000))
		52,859,000
Eastern Washington University Capital Projects Account Appropriation	\$	2,066,000

Total Appropriation \$ ~~((56,483,000))~~
 54,925,000

The appropriations in this section are subject to the following condition or limitation: A maximum of \$10,351,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 84. Section 111, chapter 340, Laws of 1981 as amended by section 87, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

General Fund Appropriation \$ ~~((48,852,000))~~
 47,435,000

Central Washington University Capital Projects

Account Appropriation \$ 1,666,000

Total Appropriation \$ ~~((50,518,000))~~
 49,101,000

The appropriations in this section are subject to the following condition or limitation: A maximum of \$10,327,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 85. Section 112, chapter 340, Laws of 1981 as amended by section 88, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

General Fund Appropriation \$ ~~((25,247,000))~~
 24,549,000

The appropriation in this section is subject to the following condition or limitation: A maximum of \$5,500,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 86. Section 113, chapter 340, Laws of 1981 as amended by section 89, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

General Fund Appropriation \$ ~~((58,362,000))~~
 56,669,000

Western Washington University Capital Projects

Account Appropriation \$ 3,102,000

Total Appropriation \$ ~~((61,464,000))~~
 59,771,000

The appropriations in this section are subject to the following condition or limitation: A maximum of \$9,599,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

NEW SECTION. Sec. 87. There is added to chapter 340, Laws of 1981 a new section to read as follows:

The appropriations in sections 80 through 86 of this 1982 act are subject to the following condition or limitation: To the maximum extent feasible, new instructional staffing will be in nontenure-track appointments.

Sec. 88. Section 115, chapter 340, Laws of 1981 as amended by section 90, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COUNCIL FOR POSTSECONDARY EDUCATION

General Fund Appropriation—State \$ ~~((20,478,000))~~
 20,428,000

General Fund Appropriation—Federal \$ 3,684,000

Total Appropriation \$ ~~((24,162,000))~~
 24,112,000

The appropriations in this section are subject to the following condition (~~and~~) or limitation: \$106,000 shall be expended to honor higher education reciprocity agreements with the state of Oregon.

Sec. 89. Section 116, chapter 340, Laws of 1981 as amended by section 91, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC BROADCASTING COMMISSION

General Fund Appropriation—State	\$	((128,000))
		<u>124,000</u>
General Fund Appropriation—Federal	\$	8,000
Total Appropriation	\$	((136,000))
		<u>132,000</u>

Sec. 90. Section 118, chapter 340, Laws of 1981 as amended by section 92, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION FOR VOCATIONAL EDUCATION

General Fund Appropriation—State	\$	((1,734,000))
		<u>1,682,000</u>
General Fund Appropriation—Federal	\$	27,157,000
Total Appropriation	\$	((28,891,000))
		<u>28,839,000</u>

The appropriations in this section are subject to the following condition (~~and~~) or limitation: No state funds may be used by the advisory council for vocational education.

Sec. 91. Section 119, chapter 340, Laws of 1981 as amended by section 93, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE HIGHER EDUCATION PERSONNEL BOARD

General Fund Appropriation	\$	((135,000))
		<u>280,000</u>
Higher Education Personnel Board Service Fund		
Appropriation	\$	1,214,000
Total Appropriation	\$	((1,349,000))
		<u>1,494,000</u>

The appropriations in this section are subject to the following condition or limitation: (~~(\$135,000 and 10.0 FTE staff years are provided for developing a classification plan for the common school classified employees. The plan shall be completed no later than June 30, 1982, for use in the 1982-83 school year.))~~ \$280,000 is provided solely for the purposes of the development of a common school classified employees classification plan.

Sec. 92. Section 120, chapter 340, Laws of 1981 as amended by section 94, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE LIBRARY

General Fund Appropriation—State	\$	((6,466,000))
		<u>6,426,000</u>
General Fund Appropriation—Federal	\$	2,147,000
General Fund Appropriation—Private/Local	\$	168,000
Washington Library Network Computer System		
Revolving Fund Appropriation—Private/Local	\$	5,417,000
Total Appropriation	\$	((14,198,000))
		<u>14,158,000</u>

The appropriations in this section are subject to the following condition or limitation: \$1,155,000 (of which \$98,000 is from federal funds) of the general fund appropriation, or as much additional funding as is necessary to maintain current service levels and expand the radio reading service to Spokane, shall be expended for the library for the blind and physically handicapped.

Sec. 93. Section 121, chapter 340, Laws of 1981 as amended by section 95, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund Appropriation—State	\$	((1,228,286))
		<u>1,191,000</u>
General Fund Appropriation—Federal	\$	893,000
Total Appropriation	\$	((2,121,286))
		<u>2,084,000</u>

The appropriations in this section are subject to the following condition or limitation: \$((679,000)) 659,000 is provided solely for the cultural enrichment program in the common schools.

Sec. 94. Section 122, chapter 340, Laws of 1981 as amended by section 96, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation	\$	((541,000))
		<u>525,000</u>

The appropriation in this section is subject to the following condition or limitation: \$27,000 is provided solely for a state historical monument to recognize the World War II internment of Japanese-Americans at the Western Washington fairgrounds in Puyallup. Funds appropriated for this memorial may be expended to the extent that at least twenty-five percent of the total cost of the project authorized is obtained from federal, local, or private sources.

Sec. 95. Section 123, chapter 340, Laws of 1981 as amended by section 97, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation	\$	((454,000))
		<u>440,000</u>

Sec. 96. Section 124, chapter 340, Laws of 1981 as amended by section 98, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE CAPITOL HISTORICAL ASSOCIATION

General Fund Appropriation	\$	((399,000))
		<u>387,000</u>

General Fund—State Capitol Historical Association

Museum Account Appropriation	\$	53,000
Total Appropriation	\$	((452,000))
		<u>440,000</u>

Sec. 97. Section 125, chapter 340, Laws of 1981 as amended by section 99, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

General Fund Appropriation: For transfer to the		
Department of Retirement Systems Expense Fund	\$	8,000
General Fund—Criminal Justice Training Account		
Appropriation: For transfer to the general fund on		
or before June 30, 1983, an amount up to		
\$1,100,000	\$	1,100,000
General Fund—Investment Reserve Account Approp-		
riation: For transfer to the general fund on or		
before June 29, 1983, pursuant to chapter 50, Laws		
of 1969	\$	40,000,000
Motor Vehicle Fund Appropriation: For transfer to the		
Tort Claims Revolving Fund for claims paid on		
behalf of the department of transportation and the		
Washington state patrol during the period July 1,		
1981, through June 30, 1983	\$	3,000,000
Motor Vehicle Fund Appropriation: For transfer to the		
Grade Crossing Protective Fund for appropriation		
to the utilities and transportation commission for		

the 1981-1983 biennium to carry out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, and 81.53.291	\$	697,000
Motor Vehicle Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$	40,000
State Treasurer's Service Fund Appropriation: For transfer to the general fund on or before July 20, 1983, an amount up to \$17,794,000 in excess of the cash requirements in the State Treasurer's Service Fund for fiscal year 1984, for credit to the fiscal year in which earned	\$	17,794,000
Teachers' Retirement Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$	2,572,000
General Fund—Trust Land Purchase Account Appropriation: For transfer to the general fund on or before June 30, 1983, an amount up to \$((856,000)) <u>1,028,000</u> in excess of the cash requirements in the Trust Land Purchase Account, as determined by the office of financial management	\$	((856,000)) <u>1,028,000</u>

NEW SECTION. Sec. 98. There is added to chapter 340, Laws of 1981 a new section to read as follows:

The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated and authorized to be expended out of the several funds indicated, for the period July 1, 1981, to June 30, 1983.

SUNDRY CLAIMS

General Fund Appropriations, except as otherwise provided, for relief of various individuals, firms, and corporations for sundry claims. These appropriations are to be disbursed on vouchers approved by the director of financial management, except as otherwise provided, as follows:

- (1) Joe A. Allemandi, Payment for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund \$ 3,000.00
- (2) Hallie Fletcher, Payment for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund \$ 2,455.80
- (3) Mabel G. Dillon, Reimbursement for amount paid to state, plus interest, for purchase of tidelands which she already owned: PROVIDED, That payment shall be made from the resource management cost account in the General Fund \$ 2,660.37
- (4) Tjarnberg Brothers Orchard, Payment for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund \$ 2,361.00
- (5) Living Services, Inc., Payment of Stipulated Judgment No. 79-2-1433-5 \$ 73,641.00
- (6) William Folden, Payment of Stipulated Judgment No. 79-2-1433-5 \$ 47,374.00
- (7) Insley, Best, Chapin, Uhlman & Doezie, P.S., Payment of Stipulated Judgment No. 79-2-1433-5 \$ 140.00
- (8) Allinson, Inc., Payment of Stipulated Judgment No. 79-2-00445-3: PROVIDED, That payment shall

- be made from the Motor Vehicle Fund, as is available under RCW 46.16.061 \$ 9,239.95
- (9) Spokane Community College, Reimbursement for payment of Stipulated Judgment No. 81200361-8 \$ 100,000.00

NEW SECTION, Sec. 99. There is added to chapter 340, Laws of 1981, a new section to read as follows:

The legislature directs the governor to implement measures improving productivity, including but not limited to shorter office hours, fewer work days, and leave without pay. To this end, the governor shall reduce the allotments of moneys appropriated to the agencies for which the governor has allotment revision authority so that the aggregate of the allotments is ten million dollars less than the aggregate of the appropriations for those agencies. The allotment reductions shall be distributed among the agencies in a manner which in the governor's judgment will enhance productivity. The portion of any appropriation not needed for an allotment as reduced under this section shall lapse. The allotment reductions made under this section are in addition to any allotment reductions which may be made under chapter 43.88 RCW. The legislature directs other elected state officials to implement similar productivity increases wherever feasible.

NEW SECTION, Sec. 100. If House Bill No. 124 is enacted during the 1982 first extraordinary session of the legislature, the office of financial management shall place in allotment reserve and lapse at the end of the biennium those state general fund savings from the enactment of House Bill No. 124 that are in excess of the expenditure reductions contained in this act.

Sec. 101. Section 37, chapter 67, Laws of 1981 as amended by section 101, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

To carry out this act, there is appropriated to the office of the chief administrative law judge from the general fund for the fiscal year from July 1, 1981, through June 30, 1982, the sum of one hundred (~~eight~~) five thousand dollars, or so much thereof as may be necessary.

Sec. 102. Section 2, chapter 69, Laws of 1981 as amended by section 102, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

There is appropriated to the office of financial management from the general fund for the biennium ending June 30, 1983, the sum of (~~one million three hundred fifty~~) thirty-nine thousand dollars (~~(-or so much thereof as may be necessary;)~~) to be disbursed to the department of commerce and economic development, the state energy office, and the department of natural resources, or their successor agencies, for the development, installation, and presentation of an exhibition at Energy Fair '83 during the period of the exposition (~~(-PROVIDED, That these funds shall revert to the general fund on April 1, 1982, unless the citizens of Benton and/or Franklin counties and/or the municipalities therein have favorably passed a bond issue which would fund that portion of Energy Fair '83 costs which are a local responsibility))~~).

Sec. 103. Section 123, chapter 136, Laws of 1981 as amended by section 103, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund ~~\$(372,565)~~ 365,000 to the corrections standards board and \$4,630,000 to the department of corrections as established in this 1981 act. This appropriation shall be subject to the following conditions and limitations:

(1) For the 1981-83 biennium the department of corrections shall be authorized an additional 93 FTE staff years.

(2) These additional FTE staff years shall be in addition to the staffing level authorized in ESSB 3636. There shall be transferred to the department of corrections an amount of general fund appropriation, state and FTE staff years, the exact

amount to be determined by the secretary of social and health services and the secretary of corrections subject to the approval of the director of the office of financial management.

Sec. 104. Section 42, chapter 137, Laws of 1981 as amended by section 104, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

There is appropriated from the state general fund to the sentencing guidelines commission for the biennium ending June 30, 1983, the sum of (~~six hundred sixteen~~) five hundred ninety-eight thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

Sec. 105. Section 16, chapter 268, Laws of 1981 as amended by section 106, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund to the judicial qualifications commission for the biennium ending June 30, 1983 a sum of \$((~~258,000~~)) 254,000. \$4,000 of this appropriation is contingent upon \$4,000 of the compensation increase moneys provided to the commission under section 14, chapter 340, Laws of 1981, as amended, remaining in reserve status.

Sec. 106. Section 6, chapter 317, Laws of 1981 as amended by section 107, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PATROL

General Fund Appropriation—State	\$	((12,062,761))
		<u>11,700,878</u>
Motor Vehicle Fund—State Patrol Highway Account		
Appropriation—State	\$	90,391,815
Highway Safety Fund Appropriation—State	\$	9,000
Total Appropriation	\$	((102,463,576))
		<u>102,101,693</u>

The appropriations contained in this section are subject to the following condition and limitation: The highway safety fund appropriation in this section is provided for the vehicle equipment safety commission.

Sec. 107. Section 8, chapter 317, Laws of 1981 as amended by section 109, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—EXECUTIVE MANAGEMENT—PROGRAM Z—MANAGEMENT SERVICES—PROGRAM S

General Fund—Aeronautics Account Appropria-		
tion—State	\$	8,722
General Fund Appropriation—State	\$	((59,200))
		<u>57,424</u>
Motor Vehicle Fund—Puget Sound Capital Con-		
struction Account Appropriation—State	\$	525,462
Motor Vehicle Fund—Puget Sound Ferry Operations		
Account Appropriation—State	\$	441,773
Motor Vehicle Fund Appropriation—State	\$	15,417,283
Total Appropriation	\$	((16,452,440))
		<u>16,450,664</u>

Insofar as is consistent with the laws of this state, the moneys appropriated in this section from the Puget Sound ferry operations account may be expended for the purpose of purchasing health and medical benefits under a plan of the employees choice for ferry employees: PROVIDED, That such benefit contributions shall not exceed the contribution paid for other state workers: PROVIDED, That nothing herein shall prevent employee contributions to the health plan in excess of the state contribution.

The appropriations contained in this section are provided for executive management, management services, and support costs of the department of transportation. The department of transportation may transfer any portion of the motor vehicle fund appropriations in this section between Programs S and Z.

Sec. 108. Section 11, chapter 317, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION AND PLANNING—PROGRAM T

(1) For public transportation and rail programs:

General Fund Appropriation—State	\$	((815,570)) 791,100
General Fund Appropriation—Federal	\$	9,839,000
General Fund Appropriation—Local	\$	185,000

(2) For planning and research:

Motor Vehicle Fund Appropriation—State	\$	5,192,909
Motor Vehicle Fund Appropriation—Federal	\$	6,320,000
Total Public Transportation and Planning		
Appropriation	\$	((22,352,479)) 22,328,009

The appropriations contained in this section are provided for the management and support of the public transportation and planning division, urban mass transportation administration programs, for rail programs, for state loans for formation of public transportation districts, for studies which support local public transportation programs, for maintenance of the state transportation plan, for highway planning and research by the department of transportation, and for research and studies approved by the department of transportation (~~and the legislative transportation committee~~).

Sec. 109. Section 10, chapter 330, Laws of 1981 as amended by section 112, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

(1) There is hereby appropriated from the general fund for the biennium ending June 30, 1983, to the legislative budget committee the sum of ~~((ninety))~~ eighty-seven thousand dollars for the purpose of conducting a study of the judicial information system as provided in section 9 of this act.

(2) There is hereby appropriated from the general fund for the biennium ending June 30, 1983, to the office of the administrator for the courts the sum of seven million ~~((nine))~~ eight hundred ~~((fifty-five))~~ twenty-five thousand dollars for the judicial information system.

NEW SECTION. Sec. 110. There is added to chapter 340, Laws of 1981 a new section to read as follows:

The legislature assumes that \$40,000,000 in savings in state general fund expenditures will result from the enactment of the following bills:

(1) Civil service reform (Engrossed Substitute House Bill No. 1226).

(2) Early retirement and limits on hiring of state employees (Second Substitute House Bill No. 124).

Each elected state official shall reduce allotments of agencies for which the official has allotment revision authority to reflect the savings actually realized as a result of the enactment of these bills. The portion of any appropriation not needed for an allotment as reduced under this section shall lapse. Allotment reductions made under this section are in addition to any allotment reductions which may be made under chapter 43.88 RCW.

NEW SECTION. Sec. 111. 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. 112. 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 of the title, after "appropriations;" strike the remainder of the title and insert "modifying appropriations and expenditures for the operations and capital projects of state agencies for the fiscal biennium beginning July 1, 1981, and ending June 30, 1983; amending section 4, chapter 340, Laws of 1981 as amended by section 5, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 5, chapter 340, Laws of 1981 as amended by section 6, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 6, chapter 340, Laws of 1981 as amended by section 7, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 7, chapter 340, Laws of 1981 as amended by section 8, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 8, chapter 340, Laws of 1981 as amended by section 9, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 9, chapter 340, Laws of 1981 as amended by section 10, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 10, chapter 340, Laws of 1981 as amended by section 11, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 11, chapter 340, Laws of 1981 as amended by section 12, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 12, chapter 340, Laws of 1981 as amended by section 13, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 13, chapter 340, Laws of 1981 as amended by section 14, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 14, chapter 340, Laws of 1981 as amended by section 15, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 15, chapter 340, Laws of 1981 as amended by section 16, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 16, chapter 340, Laws of 1981 as amended by section 17, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 17, chapter 340, Laws of 1981 as amended by section 18, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 18, chapter 340, Laws of 1981 as amended by section 19, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 19, chapter 340, Laws of 1981 as amended by section 20, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 22, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 20, chapter 340, Laws of 1981 (uncodified); amending section 21, chapter 340, Laws of 1981 as amended by section 24, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 24, chapter 340, Laws of 1981 as amended by section 26, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 25, chapter 340, Laws of 1981 as amended by section 27, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 26, chapter 340, Laws of 1981 as amended by section 28, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 27, chapter 340, Laws of 1981 as amended by section 29, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 28, chapter 340, Laws of 1981 as amended by section 30, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 29, chapter 340, Laws of 1981 as amended by section 31, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 30, chapter 340, Laws of 1981 (uncodified); amending section 33, chapter 340, Laws of 1981 as amended by section 33, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 36, chapter 340, Laws of 1981 as amended by section 35, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 37, chapter 340, Laws of 1981 as amended by section 36, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 40, chapter 340, Laws of 1981 (uncodified); amending section 41, chapter 340, Laws of 1981 as amended by section 37, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 44, chapter 340, Laws of 1981 as amended by section 38, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 45, chapter 340, Laws of 1981 as amended by section 39, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amend-

amending section 105, chapter 340, Laws of 1981 (uncodified); amending section 107, chapter 340, Laws of 1981 as amended by section 83, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 108, chapter 340, Laws of 1981 as amended by section 84, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 109, chapter 340, Laws of 1981 as amended by section 85, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 110, chapter 340, Laws of 1981 as amended by section 86, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 111, chapter 340, Laws of 1981 as amended by section 87, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 112, chapter 340, Laws of 1981 as amended by section 88, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 113, chapter 340, Laws of 1981 as amended by section 89, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 115, chapter 340, Laws of 1981 as amended by section 90, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 116, chapter 340, Laws of 1981 as amended by section 91, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 118, chapter 340, Laws of 1981 as amended by section 92, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 119, chapter 340, Laws of 1981 as amended by section 93, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 120, chapter 340, Laws of 1981 as amended by section 94, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 121, chapter 340, Laws of 1981 as amended by section 95, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 122, chapter 340, Laws of 1981 as amended by section 96, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 123, chapter 340, Laws of 1981 as amended by section 97, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 124, chapter 340, Laws of 1981 as amended by section 98, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 37, chapter 67, Laws of 1981 as amended by section 101, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 2, chapter 69, Laws of 1981 as amended by section 102, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 123, chapter 136, Laws of 1981 as amended by section 103, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 42, chapter 137, Laws of 1981 as amended by section 104, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 16, chapter 268, Laws of 1981 as amended by section 106, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 6, chapter 317, Laws of 1981 as amended by section 107, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 8, chapter 317, Laws of 1981 as amended by section 109, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 11, chapter 317, Laws of 1981 (uncodified); amending section 10, chapter 330, Laws of 1981 as amended by section 112, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); repealing section 62, chapter 340, Laws of 1981, section 55, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); repealing section 70, chapter 340, Laws of 1981, section 61, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); adding new sections to chapter 340, Laws of 1981; creating new sections; and declaring an emergency.", and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

Senator Scott moved the Senate do not concur in the House amendments to Engrossed Senate Bill No. 4369 and ask the House to recede therefrom.

MOTION

Senator Bottiger moved the Senate do concur in the House amendments to Engrossed Senate Bill No. 4369.

Debate ensued.

PARLIAMENTARY INQUIRY

Senator Clarke: "If the motion to concur should fail, that is, in itself, automatically a vote not to concur and the bill, without further vote, then goes back to the House for the request they recede. Am I correct?"

REPLY BY THE PRESIDENT

President Cherberg: "Yes, Senator Clarke."

Further debate ensued.

POINT OF INQUIRY

Senator Hurley: "Senator Talmadge, it just occurs to me, under initiative 62 when we mandate local government to take over more expenses, you say it is suppose to reimburse them, would this be covered by these items that you mention in the budget?"

Senator Talmadge: "Senator Hurley, I think you raised a very good question. I think the language of initiative 62 is that the state must reimburse the local government for the service provided not simply just pass a tax source down to the local government. I think the whole idea of the local option you refer to is fraught with initiative 62 questions and I am sure Senator Scott and his good staff on the ways and means committee have been wrestling with also, but I believe that there are very serious questions about that issue."

MOTION

On motion of Senator Ridder, Senators Conner, Peterson and Shinpoch were excused.

Senator Bottiger demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the positive motion by Senator Bottiger that the Senate concur in the House amendments to Engrossed Senate Bill No. 4369.

ROLL CALL

The Secretary called the roll and the motion failed by the following vote: Yeas, 8; nays, 37; excused, 4.

Voting yea: Senators Clarke, Craswell, Gallagher, Guess, Haley, McCaslin, Metcalf, von Reichbauer—8.

Voting nay: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Deccio, Fleming, Fuller, Gaspard, Goltz, Gould, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McDermott, Moore, Newhouse, Patterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Sellar, Talmadge, Vognilid, Williams, Wilson, Wojahn, Woody, Zimmerman—37.

Excused: Senators Conner, Peterson, Shinpoch, Talley—4.

The motion by Senator Scott carried.

The Senate refused to concur in the House amendments to Engrossed Senate Bill No. 4369 and asks the House to recede therefrom.

MOTION

At 1:52 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 4:23 p.m.

MOTION

On motion of Senator Clarke, the Senate commenced consideration of the House Messages on Engrossed Substitute Senate Bill No. 4369.

MESSAGE FROM THE HOUSE

March 24, 1982.

Mr. President: The House insists on its position on the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4369 and asks the Senate for a conference thereon.

VITO T. CHIECHI, Chief Clerk.

MESSAGE FROM THE HOUSE

March 24, 1982.

Mr. President: The Speaker has appointed the following members to serve on the Conference Committee for ENGROSSED SUBSTITUTE SENATE BILL NO. 4369: Representatives Chandler, Gary Nelson and Sommers.

VITO T. CHIECHI, Chief Clerk.

MOTION

Senator Clarke moved the request for a conference on Engrossed Substitute Senate Bill No. 4369 be granted.

Senator Bottiger demanded a roll call.

POINT OF ORDER

Senator Clarke: "Rule 6 says that, may I read rule 6? 'In case of difference between the two houses upon any subject of legislation, the house refusing to recede shall request a conference and appoint a committee of three for that purpose, and the other house shall grant the request for a conference.'

"Now the rule requires that the request for a conference be granted and I suggest it's not a proper matter for a vote; or if there was a vote, that it would require a suspension of the rules.

"My point, Mr. President, would be that the Senator's request is out of order unless he is moving for a suspension of the rules."

REMARKS BY SENATOR BOTTIGER

Senator Bottiger: "Mr. President, Senator Clarke made a motion, I requested a roll call vote on his motion. It isn't an automatic thing that we grant because we

have the power to ask the House to again recede. He has made the motion that we agree to the conference committee, and we would like a roll call vote on whether we agree or whether we again ask them to recede from their amendment. It seems to me that he made the motion and we are entitled to have a recorded vote on it."

RULING BY THE PRESIDENT

President Cherberg: "Members of the Senate, in an effort to clarify the situation, the Senate may grant a conference to the House, or refuse to grant a conference and pursue other parliamentary actions such as to concur in the House amendment or again ask the House to recede from its amendment.

"Therefore the request for roll call by Senator Bottiger is in order, if sustained."

REMARKS BY SENATOR McDERMOTT

Senator McDermott: "Mr. President and members of the Senate. Senator Clarke has tried to characterize this as a procedural vote, but it is basically a policy vote. I asked the majority leader if we could have a hearing on this bill before we sent it back to the House, but she wasn't interested in that. And I know why. It is pretty clear that nobody wants to publicly air this bill. If we had a public hearing and let people come in and testify on this measure, there would be mud all over the house. A high school civics class, in my opinion, could write a better bill in a couple of class hours, than this. It is really a bush-league performance.

"There have been no major hearings on major changes in this bill. You just take one area, the shifting of responsibility to local governments. If you take one little part of that, they want to save \$38,000,000 by shifting state programs down to the local level. If you shift the senior citizens program you will lose the senior citizens program. The federal law requires that there be a state plan and a state program. If you are going to throw all the senior citizens' programs in this state to the wind, without having a public hearing on it, people ought to know that you are doing that.

"Now the second thing is the voluntary incentive program. We managed to get a hearing on that and here they were going to save \$10,000,000. We got it down to \$5,000,000, but the House came back with a program of mandatory vacation. Forty million dollars they are going to save. Now where is the hearing on that? What is that going to do to the program?

"And I can see that my time is getting close and they are standing up. But let me tell you one other thing. Some of you are concerned about ferry workers. You haven't heard about the bill recently, have you? You know why? It's dead. The burial notice is in section 107; there is a substantive law change buried in there to deal with ferry workers because they are not going to pass that bill. They are going to try and slip it through, it will be unconstitutional just like all the other substantive law changes in the budget. There is no need to take this bill seriously. Until the House can do a better job than this, I think we ought to adhere to our position."

REMARKS BY SENATOR HAYNER

Senator Hayner: "Mr. President, ladies and gentlemen of the Senate. I think when a bill is debated on the floor of the House for two full days and nights, that it has been publicly aired. And I don't believe that you can say that the press or anyone else does not know what is in that bill. If you don't agree with that bill, then it is time that we go to a conference and decide what we can do to bring about a situation where the Senate and the House can both agree on this. I think the people of this state are getting tired of having us sit here. They imagine that we are not doing anything and you are taking the rap for it just as well as we are because when I go

home I hear, 'Why don't the legislators do something?' And I think it is high time we get this into a conference committee so that we can come to some conclusion."

MOTION

Senator Goltz: "Mr. President, I move that this bill be rereferred to the committee on ways and means."

POINT OF ORDER

Senator Clarke: "I don't think that is a proper motion. We are now acting pursuant to rule 6 of the joint rules of the House and Senate and the matter is before us pursuant to that rule."

REMARKS BY SENATOR GOLTZ

Senator Goltz: "Mr. President, I would assume that any time a bill is before us, that we have the opportunity to make the correct motion to put it where it belongs. And it seems to me that if it is true that this bill has not had a public hearing, if there are people who have not had the opportunity to testify because of the effect of local government, that one of the logical ways to deal with that particular bill would be to put it into a committee where local government people could come and talk about the effect of shifting these programs to local government.

"State employees and agency directors could come and talk about whether or not it is feasible for volunteers to give up their positions on the wall at Walla Walla and to leave the prisons unattended while our prison guards are on voluntary (mandatory) leave.

"I really wonder if this bill should not profit from having it in the ways and means committee and I know that maybe Senator Scott never wants to deal with this particular document, but there are responsible issues, I think here, that we ought to deal with."

RULING BY THE PRESIDENT

President Cherberg: "Senator Clarke, rule 6 does not necessarily apply to this situation. But rule 73 of the Senate rules does, which states, 'A bill may be committed with special instructions to amend at any time before the final vote.' Therefore, the motion by Senator Goltz is not in order inasmuch as the Senate has already had a final vote on the measure."

REMARKS BY SENATOR FLEMING

Senator Fleming: "Mr. President and members of the Senate. Speaking against the Clarke motion.

"Senator Hayner asked, 'What can we do?' You know what we can do — we can adhere to our position that the Senate has made days ago. This is not, as Senator McDermott said, a procedural matter, but a policy matter. When you are going to look at this measure and this measure is going to substantially overhaul, undo whatever measure you sent over there, that is a policy matter. When you limit special development disability training for people over 60, that is a policy matter. When you transfer DD centers to the county, that is a policy matter. When you transfer home aid to the county, that is a policy matter. When you eliminate funds for the unskilled extended shelter employment slot, that is a policy matter. When you implement waiting lists and reduce clients, close eight small DVR offices, cut case workers, that is a policy matter. When you begin to eliminate all these programs at

a time when people most need them, you begin to cut back on those services that they need, that is a policy matter.

"And your members over there are people that don't want to vote for these kinds of policy decisions ought to not support you on your so-called parliamentary procedure.

"I think it is something that you know what we ought to do. When we were on this floor on the budget days ago, it was indicated to you at that time, that members on this side had voted on a level of cuts and it would be very difficult for members on this side that had voted for those level of cuts, to vote for higher level of cuts.

"You know and I know if this bill goes into conference, whatever you come out with is going to be somewhat different, if not substantially different from what we sent over there. So you ought to be prepared for those consequences.

"Yes, we want to do something. We think that budget that you sent over there, many of us didn't like it; but many people feel as though that is the best we could get and they were willing to vote for that.

"Now why don't you adhere to your position. Take your budget, pass that level of budget, and then get on the business about the revenue that will go along with that budget and we can go home and take care of the people's business."

REMARKS BY SENATOR CHARNLEY

Senator Charnley: "Thank you Mr. President. I would like to suggest to the majority that among other things that they are accomplishing by caving in on this point is the concern that you have expressed, of giving up the concern you have expressed in the past about the extent and opportunity for higher education. Just take the community college and voc-tech school levels, which is the entry level. For most of the citizens, a good number of the citizens of our state, you would be going on past post-high school education and every one of you has been taxed by this. It will result in around an 8½% reduction in the teaching faculty, full-time teaching faculty in those institutions. That will mean thousands and thousands more students will not have the opportunity to take advantage, or any hope of taking advantage of that choice. And I know some of you over there campaigned on the position that you would not stand idly by and see your community colleges in your district further damaged by decisions made in this legislature. And I would remind you of those words, they are going to come back and haunt you.

"I would suggest, as Senator Fleming pointed out, that if you cave in on this and allow the conference committee to meet, that the 105 million cut that you felt was the proper cut, is out the window. You are going to be lucky if you see less than 200 million cut as a result of the conference. And that means damage at all levels and all services."

REMARKS BY SENATOR TALMADGE

Senator Talmadge: "Thank you, Mr. President and members of the Senate.

"I can't emphasize more strongly how this is not a mere procedural vote which I know allows the Republican caucus to be locked up, but rather it is a substantive vote. Senator Hayner, in effect, asked us for bi-partisan assistance and yet on this procedural vote which is critical, so called procedural vote which is critical to the substance of the issue, this party has locked up and that is the way it is going to be. I would submit to you that on the conference committee vote, you are going to see straight party lines; I would submit to you that when this budget emerges from conference, when the tax package finally comes forward, when the budget itself is final, you are not going to see a whole lot of assistance if this is going to be your position, that on this kind of major issue, you are going to cave in and you are going to do it in a straight partisan way, and expect to have assistance from this side of the aisle.

"It's a tacit admission that the majority on the other side is not really a majority at all.

"When I say the vote on the conference is something substantive, we know this means cuts in education, additionally; cuts in higher education, additionally; cuts in state employees' salaries and so forth, additionally; and cuts in social services to the extent that we are going to set up a local option social service system.

"Now we on this side, wonder what happened to all those so-called Lincoln Republicans or moderate-to-liberal Republicans. I suspect that their constituencies are not going to be fooled by what it is that is happening here.

"Senator Gould has talked about education issues, the education people are not going to be fooled by this vote. This is substantive vote. Senator Hemstad, state employees are not going to be fooled by this vote; they are going to know what it means. Senator Kiskaddon's friends in the social service system are not going to be fooled. The budget is going to come out of that conference committee in a worse shape that it is right now. It is something to be avoided at all costs.

"The Senate set the policy; we debated the issue, a lot of us didn't agree with that level but that is the level that this body arrived at, and that is the level that we should stick with."

POINT OF ORDER

Senator Talmadge: "Mr. President, if I could, a point of order.

"Mr. President, I raise the question of scope and object with respect to the House amendment to this Senate bill; if I could speak to the point."

RULING BY THE PRESIDENT

President Cherberg: "Scope and object doesn't apply to the omnibus appropriation measure, Senator."

POINT OF ORDER

Senator Talmadge: "Mr. President, I would raise the point with respect to those substantive issues that are outside the scope of the normal omnibus appropriations act. In specific, those issues relating to ferry workers' employment, those issues relating to the substantive abolition of the commission for the blind and the community affairs and planning agency of the state of Washington. I believe those issues are outside the scope of an omnibus appropriations bill and certainly would raise the issue of scope and object with respect to this legislation."

RULING BY THE PRESIDENT

President Cherberg: "Not in the opinion of the President, Senator Talmadge."
Further debate ensued.

The demand for a roll call by Senator Bottiger was sustained.

The President declared the question before the Senate to be the motion by Senator Clarke that the request of the House for a conference on Engrossed Substitute Senate Bill No. 4369 be granted.

ROLL CALL

The Secretary called the roll and the motion carried by the following vote: Yeas, 25; nays, 23; excused, 1.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee,

McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—25.

Voting nay: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—23.

Excused: Senator Talley—1.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Substitute Senate Bill No. 4369 and the House amendments thereto: Senators Hayner, McDermott and Scott.

MOTION

On motion of Senator Clarke, the appointments were confirmed.

MESSAGE FROM THE HOUSE

March 24, 1982.

Mr. President: The House has concurred in the Senate amendments to SUBSTITUTION HOUSE BILL NO. 268, and has passed the bill as amended by the Senate.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Clarke, the Senate returned to the first order of business.

REPORT OF STANDING COMMITTEE

March 24, 1982.

ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 13, modifying fiscal provisions of the state constitution (reported by Committee on Constitutions and Elections):

MAJORITY recommendation: Do pass as amended by Committee on Ways and Means and Committee on Constitutions and Elections.

Signed by: Senators Pullen, Chairman; Clarke, Gould, Metcalf.

MINORITY recommendation: Do not pass as amended.

Signed by: Senators Conner, Ridder, Woody.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Clarke, the motion for reconsideration by Senator Goltz on Engrossed Substitute House Bill No. 1102, as amended by the Senate, was ordered held for consideration on March 25, 1982.

MOTION

At 4:56 p.m., on motion of Senator Clarke, the Senate adjourned until 9:00 a.m., Thursday, March 25, 1982.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

FOURTEENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Thursday, March 25, 1982.

The Senate was called to order at 9:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Pullen and Talley. There being no objection, Senator Talley was excused.

The Color Guard, consisting of Pages Scott Keller and Walter Kiskaddon, presented the Colors. Father James Gretz, pastor of St. James Episcopal Church of Kent, offered the prayer.

Father Gretz was the guest of Senator Shinpoch.

MOTION

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

MESSAGES FROM THE HOUSE

March 24, 1982.

Mr. President: The House has concurred in the Senate amendments to REENGROSSED HOUSE BILL NO. 286, and has passed the bill as amended by the Senate.

VITO T. CHIECHI, Chief Clerk.

March 24, 1982.

Mr. President: The House has receded from its amendments to ENGROSSED SENATE BILL NO. 3916, and has passed the bill without the House amendments, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

March 24, 1982.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 1092, and has passed the bill as amended by the Senate.

VITO T. CHIECHI, Chief Clerk.

March 24, 1982.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 1145, and has passed the bill as amended by the Senate.

VITO T. CHIECHI, Chief Clerk.

March 24, 1982.

Mr. President: The House has receded from its amendments to ENGROSSED SENATE BILL NO. 4492, and has passed the bill without the House amendments, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

At 9:11 a.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 10:20 a.m.

MOTION

On motion of Senator Clarke, the Senate commenced consideration of the House Message on Engrossed Substitute Senate Bill No. 4675.

MESSAGE FROM THE HOUSE

March 24, 1982.

Mr. President: The House insists on its position regarding the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4675 and asks the Senate for a conference thereon. The Speaker appoints Representatives: Taylor, Johnson and Cole.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Kiskaddon, the request of the House for a conference on Engrossed Substitute Senate Bill No. 4675 and the House amendments thereto was granted.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Substitute Senate Bill No. 4675 and the House amendments thereto: Senators Kiskaddon, Wilson and Lee.

MOTION

On motion of Senator Clarke, the Conference Committee appointments were confirmed.

MESSAGE FROM THE HOUSE

March 24, 1982.

Mr. President: The House insists on its position regarding the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3946 and asks the Senate for a Conference thereon. The Speaker appoints Representatives: Sprague, Prince and Owen.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator von Reichbauer, the request of the House for a conference on Engrossed Substitute Senate Bill No. 3946 and the House amendments thereto was granted.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Substitute Senate Bill No. 3946 and the House amendments thereto: Senators von Reichbauer, Hansen and Patterson.

MOTION

On motion of Senator Clarke, the Conference Committee appointments were confirmed.

MESSAGE FROM THE HOUSE

March 24, 1982.

Mr. President: The House refuses to concur in the Senate amendments to HOUSE BILL NO. 600, and asks the Senate to recede therefrom, and the bill with Senate amendments thereto is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Clarke, the Senate refused to recede from the Senate amendments to House Bill No. 600 and asks the House for a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of Conference Committee on House Bill No. 600 and the Senate amendments thereto: Senators Clarke, Hemstad and Talmadge.

MOTION

On motion of Senator Clarke, the Conference Committee appointments were confirmed.

MESSAGE FROM THE HOUSE

March 24, 1982.

Mr. President: The House refuses to concur in the Senate amendment to HOUSE BILL NO. 967, and asks the Senate to recede therefrom, and said bill with amendment thereto is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

Senator Hemstad moved the Senate recede from its amendment to House Bill No. 967.

Debate ensued.

Senator Rasmussen moved the Senate insist on its position and again ask the House to concur.

The President advised Senator Rasmussen that the positive motion by Senator Hemstad is in order.

Senator Rasmussen demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator Hemstad that the Senate recede from its amendment to House Bill No. 967.

ROLL CALL

The Secretary called the roll and the motion carried by the following vote: Yeas, 24; nays, 23; absent or not voting, 1; excused, 1.

Voting yea: Senators Benitz, Bluechel, Deccio, Fleming, Fuller, Gould, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, McDermott, Metcalf, Newhouse, Quigg, Ridder, Scott, Sellar, Shinpoeh, Williams, Wojahn, Woody, Zimmerman—24.

Voting nay: Senators Bauer, Bottiger, Charnley, Clarke, Conner, Craswell, Gallagher, Gaspard, Goltz, Guess, Haley, Hansen, Hughes, Hurley, Lysen, Moore, Patterson, Peterson, Rasmussen, Talmadge, Vognild, von Reichbauer, Wilson—23.

Absent or not voting: Senator Pullen—1.

Excused: Senator Talley—1.

The President declared the question before the Senate to be the roll call on final passage of House Bill No. 967 without the Senate amendment.

Debate ensued.

MOTION

On motion of Senator Ridder, Senators Hayner, McDermott and Scott were excused.

PERSONAL PRIVILEGE

Senator Hurley: "Mr. President, there is something that is going on here that offends me and it is dealing with an amendment when the prime sponsor of that amendment is off on some other type of legislative work. I think it is very improper; I am offended by it. If he had been here we wouldn't have lost the motion and I just think that it is the wrong thing to do.

"I don't know when this has ever happened before but I resent it."

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 967, and the bill failed to pass the Senate by the following vote: Yeas, 18; nays, 26; absent or not voting, 1; excused, 4.

Voting yea: Senators Benitz, Bluechel, Deccio, Fleming, Fuller, Gallagher, Gould, Guess, Haley, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Ridder, Zimmerman—18.

Voting nay: Senators Bauer, Bottiger, Charnley, Clarke, Conner, Craswell, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, Moore, Patterson, Peterson, Quigg, Rasmussen, Sellar, Shipoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody—26.

Absent or not voting: Senator Pullen—1.

Excused: Senators Hayner, McDermott, Scott, Talley—4.

HOUSE BILL NO. 967, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Talmadge served notice that he would, on the next working day, move for reconsideration of the vote by which the Senate failed to pass House Bill No. 967, without the Senate amendment.

MOTION

On motion of Senator Clarke, the Senate advanced to the eighth order of business.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side and having served prior notice, on motion of Senator Goltz, the Senate moved to reconsider the vote by which Engrossed Substitute House Bill No. 1102, as amended by the Senate, failed to pass on March 24, 1982.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1102, by House Committee on Labor and Economic Development (originally sponsored by Representatives Nelson (G.), Martinis, Struthers, Scott, Monohon, Hastings and Owen):

Implementing law relating to control of gambling.

MOTION

On motion of Senator Goltz, the rules were suspended, Engrossed Substitute House Bill No. 1102, as amended by the Senate, was returned to second reading.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, on motion of Senator Goltz, the Senate moved to reconsider the vote by which the amendment by Senators Quigg, Vognild and Woody, as amended, was adopted on March 23, 1982.

The President declared the question before the Senate to be the amendment by Senators Quigg, Vognild and Woody, as amended, on reconsideration.

On motion of Senator Goltz, the amendment, as amended, was not adopted, on reconsideration.

Senator Goltz moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 1, chapter 139, Laws of 1981 and RCW 9.46.020 are each amended to read as follows:

(1) "Amusement game" means a game played for entertainment in which:

- (a) The contestant actively participates;
- (b) The outcome depends in a material degree upon the skill of the contestant;
- (c) Only merchandise prizes are awarded;
- (d) The outcome is not in the control of the operator;

(e) The wagers are placed, the winners are determined, and a distribution of prizes or property is made in the presence of all persons placing wagers at such game; and

(f) Said game is conducted or operated by any agricultural fair, person, association, or organization in such manner and at such locations as may be authorized by rules and regulations adopted by the commission pursuant to this chapter as now or hereafter amended.

Cake walks as commonly known and fish ponds as commonly known shall be treated as amusement games for all purposes under this chapter.

The legislature hereby authorizes the wagering on the outcome of the roll of dice or the flipping of or matching of coins on the premises of an establishment engaged in the business of selling food or beverages for consumption on the premises to determine (i) which of the participants will pay for certain items of food or beverages served or sold by such establishment and therein consumed, or (ii) whether the establishment or the patron will pay for records selected by the patron for play from the list in any jukebox on the premises. Such establishments are hereby authorized to possess dice and dice cups on their premises, but only for use in such limited wagering. Persons engaged in such limited form of wagering shall not be subject to the criminal or civil penalties otherwise provided for in this chapter: PROVIDED, That minors shall be barred from engaging in the wagering activities allowed by this chapter.

(2) "Bingo" means a game conducted only in the county within which the organization is principally located in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random and in which no cards are sold except at the time and place of said game, when said game is conducted by a bona fide charitable or nonprofit organization

which does not conduct or allow its premises to be used for conducting bingo on more than three occasions per week and which does not conduct bingo in any location which is used for conducting bingo on more than three occasions per week, or if an agricultural fair authorized under chapters 15.76 and 36.37 RCW, which does not conduct bingo on more than twelve consecutive days in any calendar year, and except in the case of any agricultural fair as authorized under chapters 15.76 and 36.37 RCW, no person other than a bona fide member or an employee 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, unless approved by the commission, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game. For the purposes of this subsection the organization shall be deemed to be principally located in the county within which it has its primary business office. If the organization has no business office, the organization shall be deemed to be located in the county of principal residence of its chief executive officer: PROVIDED, That any organization which is conducting any licensed and established bingo game in any locale as of January 1, 1981 shall be exempt from the requirement that such game be conducted in the county in which the organization is principally located.

(3) "Bona fide charitable or nonprofit organization" means: (a) any organization duly existing under the provisions of chapters 24.12, 24.20, or 24.28 RCW, any agricultural fair authorized under the provisions of chapters 15.76 or 36.37 RCW, or any nonprofit corporation duly existing under the provisions of chapter 24.03 RCW for charitable, benevolent, eleemosynary, educational, civic, patriotic, political, social, fraternal, athletic or agricultural purposes only, or any nonprofit organization, whether incorporated or otherwise, when found by the commission to be organized and operating for one or more of the aforesaid purposes only, all of which in the opinion of the commission have been organized and are operated primarily for purposes other than the operation of gambling activities authorized under this chapter; or (b) any corporation which has been incorporated under Title 36 U.S.C. and whose principal purposes are to furnish volunteer aid to members of the armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other national calamities and to devise and carry on measures for preventing the same. ~~((Such))~~ Except for a political campaign committee who has filed with the public disclosure commission for a candidate who has duly filed for public office, an organization must have been organized and continuously operating for at least twelve calendar months immediately preceding making application for any license to operate a gambling activity, or the operation of any gambling activity authorized by this chapter for which no license is required. Except for a political campaign committee who has filed with the public disclosure commission for a candidate who has duly filed for public office, it must have not less than fifteen bona fide active members each with the right to an equal vote in the election of the officers(~~and~~) or board members, if any, who determine the policies of the organization in order to receive a gambling license. Such an organization must demonstrate to the commission that it has made significant progress toward the accomplishment of the purposes of the organization during the twelve consecutive month period preceding the date of application for a license or license renewal. The fact that contributions to an organization do not qualify for charitable contribution deduction purposes or that the organization is not otherwise exempt from payment of federal income taxes pursuant to the Internal Revenue Code of 1954, as amended, shall constitute prima facie evidence that the organization is not a bona fide charitable or nonprofit organization for the purposes of this section.

Any person, association or organization which pays its employees, including members, compensation other than is reasonable therefor under the local prevailing wage scale shall be deemed paying compensation based in part or whole upon receipts relating to gambling activities authorized under this chapter and shall not be a bona fide charitable or nonprofit organization for the purposes of this chapter.

(4) "Bookmaking" means accepting bets as a business, rather than in a casual or personal fashion, upon the outcome of future contingent events.

(5) "Commercial stimulant". An activity is operated as a commercial stimulant, for the purposes of this chapter, only when it is an incidental activity operated in connection with, and incidental to, an established business, with the primary purpose of increasing the volume of sales of food or drink for consumption on that business premises. The commission may by rule establish guidelines and criteria for applying this definition to its applicants and licensees for gambling activities authorized by this chapter as commercial stimulants.

(6) "Commission" means the Washington state gambling commission created in RCW 9.46.040.

(7) "Contest of chance" means any contest, game, gaming scheme, or gaming device in which the outcome depends in a material degree upon an element of chance, notwithstanding that skill of the contestants may also be a factor therein.

(8) "Fishing derby" means a fishing contest, with or without the payment or giving of an entry fee or other consideration by some or all of the contestants wherein prizes are awarded for the species, size, weight, or quality of fish caught in a bona fide fishing or recreational event.

(9) "Gambling". A person engages in gambling if he stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under his control or influence, upon an agreement or understanding that he or someone else will receive something of value in the event of a certain outcome. Gambling does not include fishing derbies as defined by this chapter, parimutuel betting as authorized by chapter 67.16 RCW, bona fide business transactions valid under the law of contracts, including, but not limited to, contracts for the purchase or sale at a future date of securities or commodities, and agreements to compensate for loss caused by the happening of chance, including, but not limited to, contracts of indemnity or guarantee and life, health or accident insurance. In addition, a contest of chance which is specifically excluded from the definition of lottery under subsection (14) of this section shall not constitute gambling.

(10) "Gambling device" means: (a) Any device or mechanism the operation of which a right to money, credits, deposits or other things of value may be created, in return for a consideration, as the result of the operation of an element of chance; (b) any device or mechanism which, when operated for a consideration, does not return the same value or thing of value for the same consideration upon each operation thereof; (c) any device, mechanism, furniture, fixture, construction or installation designed primarily for use in connection with professional gambling; and (d) any subassembly or essential part designed or intended for use in connection with any such device, mechanism, furniture, fixture, construction or installation. But in the application of this definition, a pinball machine or similar mechanical amusement device which confers only an immediate and unrecorded right of replay on players thereof, which does not contain any mechanism which varies the chance of winning free games or the number of free games which may be won or a mechanism or a chute for dispensing coins or a facsimile thereof, and which prohibits multiple winnings depending upon the number of coins inserted and requires the playing of five balls individually upon the insertion of a nickel or dime, as the case may be, to complete any one operation thereof, shall not be deemed a gambling device: PROVIDED FURTHER, That owning, possessing, buying, selling, renting, leasing, financing, holding a security interest in, storing, repairing and transporting such

pinball machines or similar mechanical amusement devices shall not be deemed engaging in professional gambling for the purposes of this chapter and shall not be a violation of this chapter: PROVIDED FURTHER, That any fee for the purchase or rental of any such pinball machines or similar amusement devices shall have no relation to the use to which such machines are put but be based only upon the market value of any such machine, regardless of the location of or type of premises where used, and any fee for the storing, repairing and transporting thereof shall have no relation to the use to which such machines are put, but be commensurate with the cost of labor and other expenses incurred in any such storing, repairing and transporting.

(11) "Gambling information" means any wager made in the course of and any information intended to be used for professional gambling. In the application of this definition information as to wagers, betting odds and changes in betting odds shall be presumed to be intended for use in professional gambling: PROVIDED, HOWEVER, That this subsection shall not apply to newspapers of general circulation or commercial radio and television stations licensed by the federal communications commission.

(12) "Gambling premises" means any building, room, enclosure, vehicle, vessel or other place used or intended to be used for professional gambling. In the application of this definition, any place where a gambling device is found, shall be presumed to be intended to be used for professional gambling.

(13) "Gambling record" means any record, receipt, ticket, certificate, token, slip or notation given, made, used or intended to be used in connection with professional gambling.

(14) "Lottery" means a scheme for the distribution of money or property by chance, among persons who have paid or agreed to pay a valuable consideration for the chance.

For the purpose of this chapter, the following activities do not constitute "valuable consideration" as an element of a lottery:

(a) Listening to or watching a television or radio program or subscribing to a cable television service;

(b) Filling out and returning a coupon or entry blank or facsimile which is received through the mail or published in a bona fide newspaper or magazine, or in a program sold in conjunction with and at a regularly scheduled sporting event, or the purchase of such a newspaper, magazine or program;

(c) Sending a coupon or entry blank by United States mail to a designated address in connection with a promotion conducted in this state;

(d) Visitation to any business establishment to obtain a coupon, or entry blank;

(e) Mere registration without purchase of goods or services;

(f) Expenditure of time, thought, attention and energy in perusing promotional material;

(g) Placing or answering a telephone call in a prescribed manner or otherwise making a prescribed response or answer;

(h) Furnishing the container of any product as packaged by the manufacturer, or a particular portion thereof but only if furnishing a plain piece of paper or card with the name of the manufacturer or product handwritten on it is acceptable in lieu thereof: PROVIDED, That where any drawing is held by or on behalf of in-state retail outlets in connection with business promotions authorized under subsections (d) and (e) hereof, no such in-state retail outlet may conduct more than one such drawing during each calendar year and the period of the drawing and its promotion shall not extend for more than seven consecutive days: PROVIDED FURTHER, That if the sponsoring organization has more than one outlet in the state such drawings must be held in all such outlets at the same time except that a sponsoring

organization with more than one outlet may conduct a separate drawing in connection with the initial opening of any such outlet; or

(i) The payment of an admission fee to gain admission to any agricultural fair authorized under chapters 15.76 or 36.37 RCW where (i) the scheme is conducted for promotional or advertising purposes, not including the promotion or advertisement of the scheme itself; and (ii) the person or organization conducting the scheme receives no portion of the admission fee either directly or indirectly and receives no other money for conducting the scheme either directly or indirectly, other than what might be received indirectly as a result of the success of the promotional or advertising aspect of the scheme.

For purposes of this chapter, radio and television broadcasting is hereby declared to be preempted by applicable federal statutes and the rules applicable thereto by the federal communications commission. Broadcast programming, including advertising and promotion, that complies with said federal statutes and regulations is hereby authorized.

(15) "Member" and "bona fide member". As used in this chapter, member and bona fide member each mean a person accepted for membership in an organization eligible to be licensed by the commission under this chapter upon application, with such action being recorded in the official minutes of a regular meeting or who has held full and regular membership status in the organization for a period of not less than twelve consecutive months prior to participating in the management or operation of any gambling activity. Member and bona fide member shall also mean a person who participates on a political campaign committee which has filed with the public disclosure commission for a candidate who has duly filed for public office if that person is identified as such to the commission by the political candidate prior to the operation of any activity authorized under this chapter. Such membership must in no way be dependent upon, or in any way related to, the payment of consideration to participate in any gambling activity.

Member or bona fide member shall include only members of an organization's specific chapter or unit licensed by the commission or otherwise actively conducting the gambling activity: PROVIDED, That

(a) Members of chapters or local units of a state, regional or national organization may be considered members of the parent organization for the purpose of a gambling activity conducted by the parent organization, if the rules of the parent organization so permit; (~~and~~)

(b) Members of a bona fide auxiliary to a principal organization may be considered members of the principal organization for the purpose of a gambling activity conducted by the principal organization. Members of the principal organization may also be considered members of its auxiliary for the purpose of a gambling activity conducted by the auxiliary; and

(c) Members of any chapter or local unit within the jurisdiction of the next higher level of the parent organization may assist any other chapter or local unit of that same organization licensed by the commission in the conduct of gambling activities.

No person shall be a member of any organization if that person's primary purpose for membership is to become, or continue to be, a participant in, or an operator or manager of, any gambling activity or activities.

(16) "Player" means a natural person who engages, on equal terms with the other participants, and solely as a contestant or bettor, in any form of gambling in which no person may receive or become entitled to receive any profit therefrom other than personal gambling winnings, and without otherwise rendering any material assistance to the establishment, conduct or operation of a particular gambling activity. A natural person who gambles at a social game of chance on equal terms with the other participants therein does not otherwise render material assistance to

the establishment, conduct or operation thereof by performing, without fee or remuneration, acts directed toward the arrangement or facilitation of the game, such as inviting persons to play, permitting the use of premises therefor, and supplying cards or other equipment used therein. A person who engages in "bookmaking" as defined in this section is not a "player".

(17) A person is engaged in "professional gambling" when:

(a) Acting other than ~~((as a player or))~~ in the manner set forth in RCW 9.46.030 as now or hereafter amended, he knowingly engages in conduct which materially aids any other form of gambling activity or accepts or receives money or other property other than personal winnings, for establishing, or participating in the establishment of gambling activity; or

(b) Acting other than ~~((as a player, or))~~ in the manner set forth in RCW 9.46.030 as now or hereafter amended, he knowingly ~~((accepts or))~~ participates in gambling activity wherein he, or another person, receives money or other property ((pursuant to an agreement or understanding with any person whereby he participates or is to participate in the proceeds)) other than personal winnings, for establishing, or participating in the establishment of gambling activity;

(c) He engages in bookmaking; or

(d) He conducts a lottery as defined in subsection (14) of this section.

Conduct under subparagraph (a) and (b) of this subsection, except as exempted under RCW 9.46.030 as now or hereafter amended, includes but is not limited to conduct directed toward the creation or establishment of the particular game, contest, scheme, device or activity involved, toward the acquisition or maintenance of premises, paraphernalia, equipment or apparatus therefor, toward the solicitation or inducement of persons to participate therein, toward the actual conduct of the playing phases thereof, toward the arrangement of any of its financial or recording phases, or toward any other phase of its operation. If a person having substantial proprietary or other authoritative control over any premises shall permit said premises to be used with the person's knowledge for the purpose of conducting gambling activity other than gambling activities as set forth in RCW 9.46.030 as now or hereafter amended, ~~((and acting other than as a player,))~~ and said person permits such to occur or continue or makes no effort to prevent its occurrence or continuation, he shall be considered as being engaged in professional gambling: PROVIDED, That the accepting or receiving of money or other property for the sole purpose of procurement of refreshments such as food, drink and tobacco products shall not constitute a violation of subparagraph (a) or subparagraph (b) of this subsection, so long as the amount of money or property accepted or received is equal to or less than the actual fair market retail value of said refreshments: PROVIDED FURTHER, That the proprietor of a bowling establishment who awards prizes obtained from player contributions, to players successfully knocking down pins upon the contingency of identifiable pins being placed in a specified position or combination of positions, as designated by the posted rules of the bowling establishment, where the proprietor does not participate in the proceeds of the "prize fund" shall not be construed to be engaging in "professional gambling" within the meaning of this chapter: PROVIDED, FURTHER, That the books and records of the games shall be open to public inspection.

(18) "Punch boards" and "pull-tabs" shall be given their usual and ordinary meaning as of July 16, 1973, except that such definition may be revised by the commission pursuant to rules and regulations promulgated pursuant to this chapter.

(19) "Raffle" means a game in which tickets bearing an individual number are sold for not more than one dollar each and in which a prize or prizes are awarded on the basis of a drawing from said tickets by the person or persons conducting the game, when said game is conducted by a bona fide charitable or nonprofit organization, no person other than a bona fide member of said organization takes any part in

the management or operation of said game, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game.

(20) "Social card game" means a card game, including but not limited to the game commonly known as "Mah Jongg", which constitutes gambling and contains each of the following characteristics:

(a) There are two or more participants and each of them are players; and

(b) A player's success at winning money or other thing of value by overcoming chance is in the long run largely determined by the skill of the player; and

(c) No organization, corporation or person collects or obtains or charges any percentage of or collects or obtains any portion of the money or thing of value wagered or won by any of the players: PROVIDED, That this item (c) shall not preclude a player from collecting or obtaining his winnings; and

(d) No organization or corporation, or person collects or obtains any money or thing of value from, or charges or imposes any fee upon, any person which either enables him to play or results in or from his playing in excess of one dollar per half hour of playing time by that person collected in advance: PROVIDED, That a fee may also be charged for entry into a tournament for prizes, which fee shall not exceed twenty-five dollars, including all separate fees which might be paid by a player for various phases or events of the tournament: PROVIDED FURTHER, That this item (d) shall not apply to the membership fee in any bona fide charitable or nonprofit organization; and

(e) The type of card game is one specifically approved by the commission pursuant to RCW 9.46.070; and

(f) The extent of wagers, money or other thing of value which may be wagered or contributed by any player does not exceed the amount or value specified by the commission pursuant to RCW 9.46.070.

(21) "Thing of value" means any money or property, any token, object or article exchangeable for money or property, or any form of credit or promise, directly or indirectly, contemplating transfer of money or property or of any interest therein, or involving extension of a service, entertainment or a privilege of playing at a game or scheme without charge.

(22) "Whoever" and "person" include natural persons, corporations and partnerships and associations of persons; and when any corporate officer, director or stockholder or any partner authorizes, participates in, or knowingly accepts benefits from any violation of this chapter committed by his corporation or partnership, he shall be punishable for such violation as if it had been directly committed by him.

(23) "Fund raising event" means a fund raising event conducted during any seventy-two consecutive hours but exceeding twenty-four consecutive hours and not more than once in any calendar year or a fund raising event conducted not more than twice each calendar year for not more than twenty-four consecutive hours each time by a bona fide charitable or nonprofit organization as defined in subsection (3) of this section other than any agricultural fair referred to thereunder, upon authorization therefor by the commission, which the legislature hereby authorizes to issue a license therefor, with or without fee, permitting the following activities, or any of them, during such event: Bingo, amusement games, contests of chance, lotteries and raffles: PROVIDED, That (a) gross wagers and bets received by the organization less the amount of money paid by the organization as winnings, taxes, license fees, and for the purchase cost of prizes given as winnings do not exceed ((five)) ten thousand dollars during the total calendar days of such fund raising event in the calendar year; (b) such activities shall not include any mechanical gambling or lottery device activated by the insertion of a coin or by the insertion of any object purchased by any person taking a chance by gambling in respect to the device; (c) only bona fide members of the organization who are not paid for such service shall participate in the management or operation of the activities, and all income therefrom,

after deducting the cost of prizes and other expenses, shall be devoted solely to the lawful purposes of the organization; and (d) such organization shall notify the appropriate local law enforcement agency of the time and place where such activities shall be conducted. The commission shall require an annual information report setting forth in detail the expenses incurred and the revenue received relative to the activities permitted.

Sec. 2. Section 11, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 8, chapter 139, Laws of 1981 and RCW 9.46.110 are each amended to read as follows:

(1) The legislative authority of any county, city-county, city, or town, by local law and ordinance, and in accordance with the provisions of this chapter and rules and regulations promulgated hereunder, may provide for the taxing of any gambling activity authorized in RCW 9.46.030 as now or hereafter amended within its jurisdiction, the tax receipts to go to the county, city-county, city, or town so taxing the same: PROVIDED, That any such tax imposed by a county alone shall not apply to any gambling activity within a city or town located therein but the tax rate established by a county, if any, shall constitute the tax rate throughout such county including both incorporated and unincorporated areas, except for any city located therein with a population of twenty thousand or more persons as of the most recent decennial census taken by the federal government: PROVIDED FURTHER, That ((+)) (a) punch boards and pull-tabs, chances on which shall only be sold to adults, which shall have a twenty-five cent limit on a single chance thereon, shall be taxed on a basis which shall reflect only the gross receipts from such punch boards and pull-tabs; and ((-)) (b) no punch board or pull-tab may award as a prize upon a winning number or symbol being drawn the opportunity of taking a chance upon any other punch board or pull-tab; and ((3)) (c) all prizes for punch boards and pull-tabs must be on display within the immediate area of the premises wherein any such punch board or pull-tab is located and upon a winning number or symbol being drawn, such prize must be immediately removed therefrom, or such omission shall be deemed a fraud for the purposes of this chapter; and ((+)) (d) when any person shall win over twenty dollars in money or merchandise from any punch board or pull-tab, every licensee hereunder shall keep a public record thereof for at least ninety days thereafter containing such information as the commission shall deem necessary: AND PROVIDED FURTHER, That taxation of bingo and raffles shall never be in an amount greater than ten percent of the gross revenue received therefrom less the amount paid for or as prizes. Taxation of amusement games shall only be in an amount sufficient to pay the actual costs of enforcement of the provisions of this chapter by the county, city or town law enforcement agency and in no event shall such taxation exceed two percent of the gross revenue therefrom less the amount paid for as prizes: PROVIDED FURTHER, That no tax shall be imposed under the authority of this chapter on bingo, raffles or amusement games when such activities or any combination thereof are conducted by any bona fide charitable or nonprofit organization as defined in RCW 9.46.020(3), which organization has no paid operating or management personnel and has gross income from bingo, raffles or amusement games, or any combination thereof, not exceeding five thousand dollars per year less the amount paid for as prizes. Taxation of punch boards and pull-tabs shall not exceed five percent of gross receipts, nor shall taxation of social card games exceed twenty percent of the gross revenue from such games.

(2)(a) If payment of any tax as provided under subsection (1) of this section is not received by the county, city-county, city, or town by the last day of the month in which the tax becomes due, there shall be assessed a penalty of five percent of the amount of the tax. If the tax is not received by the last day of the month next succeeding the month in which the due date falls, there shall be assessed a total penalty of ten percent of the amount of the tax. If the tax is not received by the last day of

the second month next succeeding the month in which the due date falls, there shall be assessed a total penalty of twenty percent of the amount of the tax. The penalty imposed under this subsection shall be at least two dollars.

(b)(i) A county, city-county, city, or town assessing a penalty as provided in subsection (2)(a) of this section shall provide the commission with a report of the amount of the total penalty assessed.

(ii) A civil action to collect delinquent taxes and penalties under this section may be brought as provided in RCW 9.46.350.

Sec. 3. Section 18, chapter 218, Laws of 1973 1st ex. sess. as amended by section 8, chapter 326, Laws of 1977 ex. sess. and RCW 9.46.180 are each amended to read as follows:

(~~Any person who knowingly causes, aids, abets, or conspires with another to cause any person to violate any provision of this chapter shall be guilty of a felony and upon conviction shall be punished by imprisonment for not more than five years or a fine of not more than one hundred thousand dollars, or both.~~) (1) The provisions of RCW 9A.08.020 imposing liability for the conduct of another shall apply to violations of this chapter and any person legally accountable hereunder for commission of a felony shall be punished by imprisonment for not more than five years or a fine of not more than one hundred thousand dollars or by both such imprisonment and fine. If the violation shall constitute a gross misdemeanor, punishment shall be imprisonment for not more than one year or a fine of not more than five thousand dollars, or by both such imprisonment and fine. If the violation shall constitute a misdemeanor, punishment shall be imprisonment for not more than ninety days, or a fine of not more than one thousand dollars or by both such imprisonment and fine.

(2) The provisions of chapter 9A.28 RCW, imposing liability for criminal attempt, criminal solicitation or criminal conspiracy shall apply to violations of this chapter. Any person convicted of a gross misdemeanor pursuant to this subsection shall be punished by imprisonment not to exceed one year, or a fine of not more than five thousand dollars or by both such imprisonment and fine. Any person convicted of a misdemeanor shall be punished by imprisonment not to exceed ninety days, or a fine of not more than five hundred dollars, or by both such imprisonment and fine.

Sec. 4. Section 19, chapter 218, Laws of 1973 1st ex. sess. as amended by section 10, chapter 326, Laws of 1977 ex. sess. and RCW 9.46.190 are each amended to read as follows:

Any person or association or organization operating any gambling activity who or which, directly or indirectly, shall in the course of such operation:

(1) Employ any device, scheme, or artifice to defraud any person; or

(2) Make any untrue statement of a material fact, or omit to state a material fact necessary in order to make the statement made not misleading, in the light of the circumstances under which said statement is made to defraud any person; or

(3) Engage in any act, practice or course of operation (~~as would operate as a fraud or deceit upon~~) to defraud any person;

Shall be guilty of a gross misdemeanor and upon conviction shall be punished by imprisonment in the county jail for not more than one year or by a fine of not more than five thousand dollars, or by both such confinement and fine.

Sec. 5. Section 22, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.220 are each amended to read as follows:

(1) Whoever engages in professional gambling(~~, or knowingly causes, aids, abets, or conspires with another to engage in professional gambling,~~) as defined in RCW 9.46.020(17) (a), (c), or (d) shall be guilty of a felony and fined not more than one hundred thousand dollars or imprisoned not more than five years or both(~~: PROVIDED, HOWEVER, That~~).

(2) Whoever engages in professional gambling as defined in RCW 9.46.020(17)(b) shall be guilty of a gross misdemeanor and fined not more than five thousand dollars or imprisoned not more than one year in the county jail, or both.

This section shall not apply to those activities enumerated in RCW 9.46.030 or to any act or acts in furtherance thereof when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations adopted pursuant thereto.

NEW SECTION. Sec. 6. There is added to chapter 9.46 RCW a new section to read as follows:

Any person or association or organization operating any gambling activity who or which, directly or indirectly, shall in the course of such operation:

(1) Employ any device, scheme, or artifice to defraud any county, city-county, city or town out of tax moneys, revenues or proceeds due and authorized in accordance with RCW 9.46.110; or

(2) Make any untrue statement of a material fact or make any misleading statement of a material fact or omit to state a material fact necessary in order to make the statement not misleading, in light of the circumstances under which said statement is made, or submit any documents or forms containing any false, or misleading or deceptive information, to local taxing authorities to defraud any county, city-county, city or town out of tax moneys, revenues or proceeds due and authorized in accordance with RCW 9.46.110; or

(3) Engage in any act, practice or course of operation to defraud any county, city-county, city or town out of tax moneys, revenues or proceeds due and authorized in accordance with RCW 9.46.110;

Shall be guilty of a gross misdemeanor and upon conviction shall be punished by imprisonment for not more than one year or by a fine of not more than five thousand dollars, or by both such confinement and fine.

Except as otherwise specifically provided herein, the provisions of chapters 9A.04 through 9A.28 RCW are applicable to offenses defined by this chapter.

NEW SECTION. Sec. 7. If any provision of this 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."

POINT OF INQUIRY

Senator Metcalf: "Senator Goltz, on page 14 of your amendment, the bottom lines 32 to 39, I would like to have you go over and explain precisely what that does. In my view I am very much concerned about that, relative to the parent organization."

Senator Goltz: "Senator Metcalf, what this means is that a fraternal organization where they start a new organization, that is, another chapter, or they call it a 'sibling' organization, the parent organization or the senior organization will be able to go over and assist them so they do these things right.

"The gambling commission is very strict about how these gambling activities occur even within the fraternal organization, and new organizations are sometimes at a loss without experience, to really do this according to the rules and regulations of the gambling commission.

"So this is an effort to bring that kind of expertise to the sibling organization."

POINT OF INQUIRY

Senator Gould: "Senator Goltz, to go a little further on this particular subject. My interpretation of this would mean that if the Spokane Rotary wanted to have a casino night at Ocean Shores, under the current situation, they have to have their own members over there running it. With this amendment they would be allowed to

have the Ocean Shores' Rotary members run it. Would that be an appropriate interpretation?"

Senator Goltz: "I am not absolutely sure about that but my understanding is not that it would permit that, that we are really talking about a senior organization running it for a junior organization, and I don't know whether it has anything to do with Ocean Shores or not."

Senator Gould: "Well, the interpretation that was given to me by staff was that it would allow that, and from that I would extrapolate to say that that increases the potential of rolling casino nights at, say, Ocean Shores or any other place where they have casino nights because every Rotary could then have, or I hate to pick on the Rotary, but every organization of that sort could have a member from their organization in that community, set up and run a casino night in that area, and I find that difficult. I understand that Senator Metcalf has an amendment to"

Senator Goltz: "If that is the case, it was not my understanding that that is true and I would not be in favor of that kind of ongoing gambling activity in one location in the name of sibling organizations."

Further debate ensued.

Senator Metcalf moved adoption of the following amendment to the amendment by Senator Goltz:

On page 14, strike lines 32-39.

POINT OF INQUIRY

Senator Ridder: "Senator Goltz, you mentioned, in regard to this language on page 14, that this would allow parent organizations to assist in order to be sure that they didn't transgress against the gambling commission rules and regulations, and I am wondering if there is anything within the other language of the amendment, that would prohibit anything short of actual participation in the conduct of the gambling activity by members of a parent organization? In other words, they would be able to assist in filling out the forms and being sure that the routines were properly followed; that the regulations were properly implemented; and I assume your concern was for them actually acting actively within that activity."

Senator Goltz: "I am not quite sure how to answer that but as far as I know, they would already have the opportunity to assist in those other ways."

Senator Ridder: "Thank you."

Further debate ensued.

Senator Rasmussen demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senator Metcalf to the amendment by Senator Goltz.

ROLL CALL

The Secretary called the roll and the amendment to the amendment was not adopted by the following vote: Yeas, 20; nays, 23; absent or not voting, 2; excused, 4.

Voting yea: Senators Benitz, Bluechel, Charnley, Clarke, Craswell, Gallagher, Goltz, Gould, Guess, Hemstad, Jones, Kiskaddon, Lee, Lysen, McCaslin, Metcalf, Rasmussen, von Reichbauer, Wojahn, Zimmerman—20.

Voting nay: Senators Bauer, Bottiger, Conner, Deccio, Fleming, Fuller, Gaspard, Haley, Hansen, Hughes, Hurley, Moore, Newhouse, Patterson, Peterson, Quigg, Ridder, Sellar, Talmadge, Vognild, Williams, Wilson, Woody—23.

Absent or not voting: Senators Pullen, Shinpoch—2.

Excused: Senators Hayner, McDermott, Scott, Talley—4.

MOTION

On motion of Senator Bluechel, Senator Quigg was excused.

Senator Vognild moved adoption of the following amendment to the amendment by Senator Goltz:

On page 19, line 26, following "of" strike "one" and insert "~~(one)~~ two"

POINT OF INQUIRY

Senator Lysen: "Senator Vognild, I was prepared to support this, but when you said it went from one dollar to two dollars, that clicked in my mind, that's 100% increase. That seems to be well beyond inflation and it seems to me this might be a place where we can hold the line on inflation."

Senator Vognild: "Senator Lysen, I said it went from one dollar to two dollars, 100%. I also said that their license fee went from \$500 to \$2000, that's 400% that they have suffered."

POINT OF INQUIRY

Senator Zimmerman: "Senator Vognild, what would you say is the average take from card rooms, and what are you increasing their take as far as the average card room that you are familiar with?"

Senator Vognild: "I haven't done any mathematics on it."

Senator Zimmerman: "You haven't."

Senator Vognild: "No I haven't, Senator Zimmerman, I couldn't make an estimate on that for you."

Senator Zimmerman: "I can tell you the procedure to figure it out."

Senator Vognild: "You'd multiply your. . . . Yes, five tables allowed in there, you have eight chairs to a table so you have potentially forty people that could play. You are looking at \$40 a half hour under the present bill, \$80 a half hour under the increase here."

Senator Zimmerman: "How many hours are most of them open a day?"

Senator Vognild: "Well, they are bound by, they are 50% trade stimulant and 50% from gambling which we failed to change, which is going to put quite a few in your area out of business. So I really couldn't tell you; I suppose the technical hours would perhaps be as many as ten or twelve hours. I suspect, in reality, that most of them are considerably less than that."

Senator Zimmerman: "How many days a week? Are they open every day?"

Senator Vognild: "I presume."

Senator Zimmerman: "I guess I am just simply saying if there is a fairly heavy increase in your . . . with a 100% increase that Senator Lysen mentioned, and I think the fact that this amendment is offered along with the other amendments, would indicate that this bill still has a great deal of significance, apparently, despite the fact that it was a simple little bill that was going to help one area only. I guess we are still pretty reluctant to see it passed."

Debate ensued.

POINT OF INQUIRY

Senator Quigg: "Senator Lysen, you are a man who is a student of pricing and rates and things like that. If the rate for a service or a product was increased by 100%, would you consider that the consumption of that service or product would increase or decrease?"

Senator Lysen: "Well, my limited knowledge of the economic field would, I have always followed price elasticity, has been the key component here. But I would think that if something goes up in price, for example, electricity goes up two or three

times, you will have a corresponding decrease, in fact, natural gas prices went up two or three times, four or five years ago, and we had a one-third decline in the natural gas consumption here in the northwest.

"And electricity seems to be the same situation here for local consumption.

"However, overseas exports of aluminum have increased many times; we have just exported twenty thousand tons of aluminum, cheap hydro power, to foreign countries, which will come back in the form of Datsuns and engine blocks, and so forth."

Further debate ensued.

The motion by Senator Vognild carried and the amendment to the amendment was adopted.

Senator Woody moved adoption of the following amendment by Senators Woody and Wojahn to the amendment by Senator Goltz, as amended:

On page 25, following line 21, insert a new section to read as follows: "section 11, chapter 166, Laws of 1975 first ex. sess. are each amended to read as follows:

Any county, city or town which collects a tax on gambling activities authorized pursuant to RCW 9.46.110 shall use the revenue from such tax ((primarily)) solely for the purpose of enforcement of the provisions of this chapter by the county, city or town law enforcement agency."

Debate ensued.

Senator Woody demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senators Woody and Wojahn to the amendment by Senator Goltz, as amended.

ROLL CALL

The Secretary called the roll and the amendment to the amendment was not adopted by the following vote: Yeas, 7; nays, 36; absent or not voting, 1; excused, 5.

Voting yea: Senators Bluechel, Conner, Lee, McCaslin, Metcalf, Wojahn, Woody—7.

Voting nay: Senators Bauer, Benitz, Bottiger, Charnley, Clarke, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lysen, Moore, Newhouse, Patterson, Peterson, Rasmussen, Ridder, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Zimmerman—36.

Absent or not voting: Senator Pullen—1.

Excused: Senators Hayner, McDermott, Quigg, Scott, Talley—5.

The motion by Senator Goltz carried and the amendment, as amended, was adopted.

PERSONAL PRIVILEGE

Senator Vognild: "I ask for this opportunity to enter in the record that my 'no' vote on this was a matter of preferring to leave the present language in and allowing the present possible challenges by way of court action, to stand. It in no way reflects my vote as a legislator that I do not believe that the primary purpose of this tax should go to law enforcement."

On motion of Senator Goltz, the rules were suspended, Engrossed Substitute House Bill No. 1102, 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. 1102, as amended by the Senate, and the bill failed to pass the Senate on reconsideration, by the following vote: Yeas, 28; nays, 18; absent or not voting, 1; excused, 2.

Voting yea: Senators Bauer, Bottiger, Charnley, Conner, Deccio, Fleming, Fuller, Gaspard, Goltz, Haley, Hansen, Hughes, Hurley, Lee, Lysen, McDermott, Moore, Newhouse, Peterson, Ridder, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wojahn, Woody—28.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Gallagher, Gould, Guess, Hayner, Hemstad, Jones, Kiskaddon, McCaslin, Metcalf, Patterson, Rasmussen, Scott, Wilson, Zimmerman—18.

Absent or not voting: Senator Pullen—1.

Excused: Senators Quigg, Talley—2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1102, as amended by the Senate, having failed to receive the constitutional two-thirds majority, on reconsideration, was declared lost.

MOTION

On motion of Senator Clarke, the Senate returned to the sixth order of business.

SECOND READING

HOUSE BILL NO. 796, by House Committee on Labor and Economic Development and Representatives Sanders and Tilly:

Revising laws on review of apprenticeship programs.

The Senate resumed consideration of House Bill No. 796 from March 21, 1982 at which time it was amended.

On motion of Senator Newhouse, the following amendment by Senators Newhouse, Jones, Vognild and Hurley was adopted:

Strike everything after the enacting clause and insert the following:

"**NEW SECTION.** Section 1. There is added to chapter 49.04 RCW a new section to read as follows:

(1) The department of labor and industries may charge fees for the registration of individual apprenticeship or training agreements. The department may also charge fees for the registration of apprenticeship or training standards by employers, apprenticeship committees, or other organizations sponsoring apprenticeship or training programs. The fees for registration of individual apprenticeship agreements shall be paid either by the apprentice or by the program sponsor.

(2) The amount of the fees shall be established by rules adopted by the department under the procedures in the administrative procedure act, chapter 34.04 RCW. The fees shall apply to all registrations that are in effect or made after the effective date of the rules. All fees shall be deposited in the general fund.

(3) The department shall set the fees permitted by this chapter at a level that generates revenue that is not less than fifty percent of the appropriation for the apprenticeship division for each biennium.

(4) The department may refuse to register or amend apprenticeship or training standards or agreements for which the proper fees have not been paid. The department may suspend or terminate the existing registration of any apprenticeship agreements or standards for which the proper fees have not been paid. The department may, if necessary, request the attorney general to take legal action to collect any delinquent fees.

Sec. 2. Section 1, chapter 231, Laws of 1941 as last amended by section 1, chapter 37, Laws of 1979 ex. sess. and RCW 49.04.010 are each amended to read as follows:

The director of labor and industries shall appoint an apprenticeship council, composed of three representatives each from employer and employee organizations, respectively. The terms of office of the members of the apprenticeship council first appointed by the director of labor and industries shall be as follows: One representative each of employers and employees shall be appointed for one year, two years, and three years, respectively. Thereafter, each member shall be appointed for a term of three years. The governor shall appoint a public member to the apprenticeship council for a three-year term. The appointment of the public member is subject to confirmation by the senate. Each member shall hold office until his successor is appointed and has qualified and any vacancy shall be filled by appointment for the unexpired portion of the term. The state official who has been designated by the commission for vocational education as being in charge of trade and industrial education and the state official who has immediate charge of the state public employment service shall ex officio be members of said council, without vote. Each member of the council, not otherwise compensated by public moneys, shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended and shall be paid not more than twenty-five dollars for each day spent in attendance at meetings of the council. The apprenticeship council with the consent of employee and employer groups shall: (1) Establish standards for apprenticeship agreements in conformity with the provisions of this chapter; (2) issue such rules and regulations as may be necessary to carry out the intent and purposes of this chapter, including a procedure to resolve an impasse should a tie vote of the council occur; and (3) perform such other duties as are hereinafter imposed. Not less than once a year the apprenticeship council shall make a report to the director of labor and industries of its activities and findings which shall be available to the public.

NEW SECTION. Sec. 3. There is appropriated to the department of labor and industries from the general fund for the biennium ending June 30, 1983, the sum of five hundred thirty-four thousand dollars, or so much thereof as may be necessary, to carry out the purposes of chapter 49.04 RCW.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On motion of Senator Newhouse, the following amendment to the title was adopted:

On page 1, line 1 of the title, after "apprenticeship;" strike the remainder of the title and insert "amending section 1, chapter 231, Laws of 1941 as last amended by section 1, chapter 37, Laws of 1979 ex. sess. and RCW 49.04.010; adding a new section to chapter 49.04 RCW; making an appropriation; and declaring an emergency."

On motion of Senator Newhouse, the rules were suspended, House Bill No. 796, 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 House Bill No. 796, 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 Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen,

McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Rasmussen, Ridder, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—43.

Absent or not voting: Senators Hayner, McDermott, Pullen, Scott—4.

Excused: Senators Quigg, Talley—3.

HOUSE BILL NO. 796, 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. 3916,

SENATE BILL NO. 4492.

MOTION

At 12:10 p.m., on motion of Senator Clarke, the Senate adjourned until 9:00 a.m., Friday, March 26, 1982.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

FIFTEENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Friday, March 26, 1982.

The Senate was called to order at 9:00 a.m. by President Cherberg. The Secretary called the roll announced to the President that all Senators were present except Senators Clarke, Deccio, Lee, Lysen, McDermott, Rasmussen, Talley and Woody. On motion of Senator Ridder, Senators Lysen, McDermott, Rasmussen, Talley and Woody were excused.

The Color Guard, consisting of Pages Lennie Herington and Mike Husseman, presented the Colors. Reverend Wallace F. Misterek, pastor of Trinity Lutheran Church of Olympia, offered the prayer.

MOTION

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

MESSAGES FROM THE HOUSE

March 25, 1982.

Mr. President: The House has passed:

SUBSTITUTE HOUSE BILL NO. 612,
HOUSE BILL NO. 933,
ENGROSSED HOUSE BILL NO. 1002,
HOUSE BILL NO. 1023,
HOUSE BILL NO. 1231, and the same are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

March 25, 1982.

Mr. President: The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 268,
HOUSE BILL NO. 286,
HOUSE BILL NO. 1092,
HOUSE BILL NO. 1145, and the same are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

March 25, 1982.

Mr. President: The House has passed: SUBSTITUTE HOUSE BILL NO. 764, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

March 25, 1982.

Mr. President: The Speaker has signed:

SENATE BILL NO. 3916,
SENATE BILL NO. 4492, and the same are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MESSAGE FROM THE HOUSE

March 25, 1982.

Mr. President: The House has granted the request of the Senate for a Conference on House Bill No. 600 and the Speaker has appointed the following members to the Conference Committee: Representatives: Ellis, Padden, Salatino.

VITO T. CHIECHI, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE HOUSE BILL NO. 268,
HOUSE BILL NO. 286,
HOUSE BILL NO. 1092,
HOUSE BILL NO. 1145.

INTRODUCTION AND FIRST READING

SUBSTITUTE HOUSE BILL NO. 612, by Committee on Revenue (originally sponsored by Representatives Amen, Greengo, Granlund, Rinehart, Flanagan, Bond, Fancher and Clayton):

Modifying provisions on county indicated ratios.
Referred to Committee on Ways and Means.

SUBSTITUTE HOUSE BILL NO. 764, by Committee on Revenue (originally sponsored by Committee on Revenue and Representative Greengo) (by Department of Revenue request):

Providing temporary procedures for property tax listing and payments.
Referred to Committee on Ways and Means.

HOUSE BILL NO. 933, by Committee on Appropriations—General Government and Representatives Williams, Ehlers, Nelson (G), Thompson, Greengo and Sommers (by Legislative Budget Committee request):

Modifying provisions on the procurement of insurance by state agencies.

MOTION

On motion of Senator Newhouse, the rules were suspended, House Bill No. 933 was placed on the second reading calendar for today.

INTRODUCTION AND FIRST READING

ENGROSSED HOUSE BILL NO. 1002, by Representatives McCormick, Wilson, Martinis and Erak:

Extending the annual license fee on the use of natural gas and propane in motor vehicles.

Referred to Committee on Ways and Means.

HOUSE BILL NO. 1023, by Representatives Erak, Wilson, Thompson, Williams, Rust, Greengo, Galloway, Sommers and Flanagan:

Increasing the fee for driving record abstracts.

Referred to Committee on Ways and Means.

HOUSE BILL NO. 1231, by Committee on Local Government and Representatives Isaacson, Hine, Eberle, Burns, James, Kreidler, Lundquist, Chamberlain, Johnson and Winsley:

Authorizing the consideration by local government of local excise tax revenues arising from local purchases in awarding purchase contracts.

Referred to Committee on Ways and Means.

MOTIONS

On motion of Senator Newhouse, the Senate advanced to the sixth order of business.

On motion of Senator Newhouse, the Senate commenced consideration of Senate Bill No. 4992.

SECOND READING

SENATE BILL NO. 4992, by Senators Hayner and Scott:

Modifying tax advisory council.

The bill was read the second time by sections.

Senator Scott moved adoption of the following amendment by Senators Scott, Bauer and McDermott:

On page 2, after line 15, insert the following:

"Sec. . . . Section 5, chapter 58, Laws of 1971 and RCW 19.10.240 are each amended to read as follows:

All references to sections of the Internal Revenue Code of 1954 shall include ~~((future amendments to such sections and corresponding provisions of future internal revenue laws))~~ all amendments thereto adopted by the Congress of the United States on or before the effective date of this 1982 amendatory section."

Renumber the sections consecutively and correct any internal references accordingly.

POINT OF INQUIRY

Senator Metcalf: "Senator Scott, maybe I wasn't quite ready for it, but I would like to have you go over again, relative to the large, tax-free foundations that we're talking about and they were required to pay 5% of their, I suppose their net, and now that requirement is being removed, is that . . . ?"

Senator Scott: "It has been removed. The '75 charitable reform act, the federals' passed, said that every year charitable trusts had to pay out at least 5% of their principal or risk losing their charitable status. Last year the Congress revised it back to how it had been prior to 1975, so the trusts can pay out any amount on a given year they can manage it. They can pay out 2% one year and 10% the next year if their portfolio indicates that that is the best management. There is no requirement that they pay out 5% every year.

"And in the interim, there was a case in our own state where the court said that in acquiescing to the 1975 federal act, there was an unconstitutional delegation of our legislature's authority, so this amendment gets us back in line with the revised federal act and away from the mandatory provisions of the 1975 to the 1981 federal act."

Senator Metcalf: "And then the second question: what would happen if we didn't have this amendment on this bill? What is the effect of not having it?"

Senator Scott: "We would still be crosswise with federal law and crosswise with our own Constitution."

REMARKS BY SENATOR ZIMMERMAN

Senator Zimmerman: "Mr. President, members, it also would be said to be some foundations that are doing a tremendous job in this state that would be very adversely affected by the people that they are trying to help and are giving funds to. Right here at the present time, some of those, Murdock Foundation in Vancouver, for example, very definitely would have an adverse effect . . . and my people would be hurt in the long run. Very important . . ."

The motion by Senator Scott carried and the amendment was adopted.

On motion of Senator Scott, the following amendment by Senators Scott, Bauer and McDermott to the title was adopted:

On page 1, on line 5 of the title, after ".020," insert "amending section 5, chapter 58, Laws of 1971 and RCW 19.10.240;"

On motion of Senator Scott, the rules were suspended, Engrossed Senate Bill No. 4992 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Pullen: "Senator Scott, I don't disagree with what you said but I was particularly interested in your comments about the need for a well-balanced group to review our tax structure and I wanted to know if there were any representatives of any taxpayer groups or taxpayer associations on this council?"

Senator Scott: "Senator Pullen, eleven members are to be appointed by the Governor representing major segments of the state economy and at least one is to be chosen from each of the eight congressional districts. The President and the Speaker will each appoint two members, one from each of the four caucuses of the legislature."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4992, and the bill passed the Senate by the following vote: Yeas, 40; nays, 1; absent or not voting, 3; excused, 5.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Conner, Craswell, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Ridder, Scott, Sellar, Shinpoeh, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Zimmerman—40.

Voting nay: Senator Pullen—1.

Absent or not voting: Senators Clarke, Deccio, Lee—3.

Excused: Senators Lysen, McDermott, Rasmussen, Talley, Woody—5.

ENGROSSED SENATE BILL NO. 4992, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title to the act.

MOTION

On motion of Senator Newhouse, the Senate advanced to the eighth order of business.

MOTION

Senator Vognild moved adoption of the following resolution:

SENATE RESOLUTION 1982—211

By Senators Vognild, Fuller and Metcalf:

WHEREAS, The sport of wrestling has been recognized since ancient times as a test of both physical development and mental awareness; and

WHEREAS, Many young people throughout the state of Washington actively pursue the sport of wrestling at the amateur level; and

WHEREAS, Cascade High School in Everett, Washington, has been selected as the site for the final competition of the United States Wrestling Federation Juniors Tournament to be held April 3, 1982; and

WHEREAS, Competitors at this event will be among the finest junior amateur wrestlers from Washington State and across the nation, including many competitors who are state wrestling champions, national place winners and United States world wrestling team members; and

WHEREAS, Those young people involved in amateur wrestling at all levels, as well as parents, families, coaches, officials and others who support these young athletes, ought to be recognized for their accomplishments and dedication to this demanding sport;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the event of the United States Wrestling Federation Juniors Tournament on April 3, 1982, serve to focus our attention on the sport of amateur wrestling and to inspire our respect and admiration for all those who participate in amateur wrestling; and

BE IT FURTHER RESOLVED, That the Senate urges Governor John Spellman to proclaim April 3, 1982, as "Amateur Wrestling Day" in the state of Washington; and

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to the Governor and to the United States Wrestling Federation.

MOTION

On motion of Senator Metcalf, there being no objection, the name of Senator Metcalf was added as a sponsor to Senate Resolution 1982—211.

The motion by Senator Vognild carried and the resolution was adopted.

MOTIONS

On motion of Senator Newhouse, the Committee on Rules was relieved from further consideration of House Bill No. 1014.

On motion of Senator Newhouse, there being no objection, House Bill No. 1014 was rereferred to the Committee on Local Government.

MOTION

On motion of Senator Newhouse, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

March 25, 1982.

Mr. President: The House insists on its position regarding the House amendments to Senate Bill No. 4717 and asks the Senate for a conference thereon. The Speaker appoints Representatives: Williams, Struthers, Monohon.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Newhouse, the request of the House for a conference on Senate Bill No. 4717 and the House amendments thereto was granted.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Senate Bill No. 4717, and the House amendments thereto: Senators Metcalf, Rasmussen and Lee.

MOTION

On motion of Senator Newhouse, the Conference Committee appointments were confirmed.

MOTION

At 9:41 a.m., on motion of Senator Newhouse, the Senate was declared to be at ease.

The President called the Senate to order at 11:15 a.m.

MOTION

On motion of Senator Newhouse, the Senate returned to the third order of business.

MESSAGE FROM THE GOVERNOR

Office of the Governor, March 25, 1982.

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

LADIES AND GENTLEMEN:

I have the honor to advise you that on March 25, 1982, Governor Spellman approved the following Senate Bill entitled:

SENATE BILL NO. 4025: Relating to waterways.

Sincerely,
Marilyn Showalter
Counsel to the Governor.

MESSAGE FROM THE HOUSE

March 25, 1982.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 4133, with the following amendments:

On page 6, after line 30, insert the following:

"Sec. 3. Section 47, chapter 289, Laws of 1971 ex. sess. as last amended by section 54, chapter 350, Laws of 1977 ex. sess. and RCW 51.32.190 are each amended to read as follows:

(1) If the self-insurer denies a claim for compensation, written notice of such denial, clearly informing the claimant of the reasons therefor and that the director will rule on the matter shall be mailed or given to the claimant and the director within ((seven)) thirty days after the self-insurer has notice of the claim.

(2) Until such time as the department has entered an order in a disputed case acceptance of compensation by the claimant shall not be considered a binding determination of his or her rights under this title. Likewise the payment of compensation shall not be considered a binding determination of the obligations of the self-insurer as to future compensation payments.

(3) Upon making the first payment of income benefits, and upon stopping or changing of such benefits except where a determination of the permanent disability has been made as elsewhere provided in this title, the self-insurer shall immediately notify the director in accordance with a form to be prescribed by the director that

the payment of income benefits has begun or has been stopped or changed. Where temporary disability compensation is payable, the first payment thereof shall be made within fourteen days after notice of claim and shall continue at regular semi-monthly or biweekly intervals.

(4) If, after the payment of compensation without an award, the self-insurer elects to controvert the right to compensation, the payment of compensation shall not be considered a binding determination of the obligations of the self-insurer as to future compensation payments. The acceptance of compensation by the worker or his or her beneficiaries shall not be considered a binding determination of their rights under this title.

(5) The director (a) may, upon his or her own initiative at any time in a case in which payments are being made without an award, and (b) shall, upon receipt of information from any person claiming to be entitled to compensation, from the self-insurer, or otherwise that the right to compensation is controverted, or that payment of compensation has been opposed, stopped or changed, whether or not claim has been filed, promptly make such inquiry as circumstances require, cause such medical examinations to be made, hold such hearings, require the submission of further information, make such orders, decisions or awards, and take such further action as he or she considers will properly determine the matter and protect the rights of all parties.

(6) The director, upon his or her own initiative, may make such inquiry as circumstances require or is necessary to protect the rights of all the parties and he or she may enact rules and regulations providing for procedures to ensure fair and prompt handling by self-insurers of the claims of workers and beneficiaries."

Renumber the remaining section and correct any internal references accordingly.

On page 1, line 6 of the title, after "51.32.080;" insert "amending section 47, chapter 289, Laws of 1971 ex. sess. as last amended by section 54, chapter 350, Laws of 1977 ex. sess. and RCW 51.32.190;", and the same is herewith transmitted.

MOTION

On motion of Senator Quiqq, the Senate concurred in the House amendments to Engrossed Senate Bill No. 4133.

MOTION

On motion of Senator Jones, Senator Sellar was excused.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4133, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Lee, Lysen, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—45.

Absent or not voting: Senator Kiskaddon—1.

Excused: Senators McDermott, Sellar, Talley—3.

ENGROSSED SENATE BILL NO. 4133, 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

March 25, 1982.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 4285 with the following amendment:

On page 2, line 18, after "period" insert: "; provided that the department shall attempt to establish a system whereby in an individual case no single provider must bear a disproportionate percentage of the deductible for a given claim" and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Newhouse, the Senate concurred in the House amendment to Engrossed Substitute Senate Bill No. 4285.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 4285, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Shinpoch, Talmadge, Vognil, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—47.

Excused: Senators Sellar, Talley—2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4285, 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 Newhouse, the Senate advanced to the seventh order of business.

THIRD READING

ENGROSSED SENATE BILL NO. 4640, by Senators Scott, Zimmerman and Gaspard (by Department of Retirement Systems request):

Revising laws relating to retirement from public service.

The bill was read the third time and placed on final passage.

POINT OF INQUIRY

Senator Bottiger: "Mr. President, there was an amendment prepared which was sponsored with bipartisan support but I understand that you don't want to consider this? Mr. President, would Senator Hayner yield to a question?"

"Senator Hayner, when this bill went over to the House before, an amendment was attached to it in the House that would permit the borrowing of the teachers' retirement system funds for purposes of balancing budget. I would like to know if you understand that is the plan again or if I have some assurance from you that if such was done that it would be opposed by both sides of the aisle?"

Senator Hayner: "It is not my understanding that there is any intention of putting that amendment on again. The amendment to which you refer there, the other amendment that is being considered, or that would be considered here, is the

one that they are talking about over there. We just want to get this out of here right now."

Senator Bottiger: "Perhaps I didn't state my question correctly. Is it our understanding that we would oppose, both sides of the aisle, oppose an amendment that might be proposed in the House to allow the borrowing of these funds for purposes of balanced budget?"

Senator Hayner: "Yes."

MOTION

Senator Talmadge moved the rules be suspended and Engrossed Senate Bill No. 4640 be returned to second reading.

Senator Talmadge demanded a roll call and the demand was sustained.

POINT OF INQUIRY

Senator Goltz: "Before I vote on this I would like to have an explanation, if that is possible, as to the purpose of the amendment and what we would have under consideration if we move it back."

Senator Talmadge: "Thank you, Mr. President and members of the Senate. There are two amendments presently on the desks, one sponsored by Senators Newhouse, Shinpoch, Scott and Lysen to page 45, following line 9 of the bill that relates to the question of accrued vacation leave and so forth. Another amendment on page 46 following line 1, by Senators Talmadge, Vognild, Gaspard, Ridder, Williams and Moore, which would establish a commission to study the LEOFF II system. In particular this is a follow-up to the issue that was before the body the other day in discussing the budget, the injured firefighter, Marion Gray, and all of the expressions of concern by people on both sides of the aisle about the need to study the whole system of LEOFF II and this commission was an opportunity for people to tangibly express their views with respect to the need to study the LEOFF system rather than simply talk them up on the floor."

Debate ensued.

PARLIAMENTARY INQUIRY

Senator Clarke: "Mr. President, does this require a two-thirds vote?"

REPLY BY THE PRESIDENT

President Cherberg: "Yes, Senator Clarke."

ROLL CALL

The Secretary called the roll and the motion failed by the following vote: Yeas, 23; nays, 23; absent or not voting, 1; excused, 2.

Voting yea: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Pullen, Rasmussen, Ridder, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—23.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Quigg, Scott, von Reichbauer, Zimmerman—23.

Absent or not voting: Senator Shinpoch—1.

Excused: Senators Sellar, Talley—2.

The President declared the question before the Senate to be the roll call on the final passage of Engrossed Senate Bill No. 4640.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4640, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Shipoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—46.

Absent or not voting: Senator Deccio—1.

Excused: Senators Sellar, Talley—2.

ENGROSSED SENATE BILL NO. 4640, having received the 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 Newhouse, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

March 26, 1982.

Mr. President: The House has passed: ENGROSSED SUBSTITUTE SENATE BILL NO. 4824, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Newhouse, the Senate advanced to the eighth order of business.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side and having served prior notice, Senator Talmadge moved the Senate reconsider the vote by which House Bill No. 967 failed to pass on March 25, 1982.

MOTION

On motion of Senator Newhouse, the motion for reconsideration was ordered held for the proper order of business on the next working day.

MOTION

At 11:45 a.m., on motion of Senator Newhouse, the Senate adjourned until 9:00 a.m., Monday, March 29, 1982.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

EIGHTEENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Monday, March 29, 1982.

The Senate was called to order at 9:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Charnley, Conner, Lysen, Peterson, Talley and Wojahn. There being no objection, Senator Talley was excused.

The Color Guard, consisting of Pages Joe Vozenilek and Marsha McLean, presented the Colors. Reverend Lester Olson, pastor of Gloria Dei Lutheran Church of Olympia, offered the prayer.

MOTION

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

MESSAGE FROM THE GOVERNOR

Office of the Governor, March 26, 1982.

**TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.
LADIES AND GENTLEMEN:**

I have the honor to advise you that on March 26, 1982 Governor Spellman approved the following Senate Bills entitled:

SENATE BILL NO. 4313: Relating to the youth development and conservation corps.

SENATE BILL NO. 4484: Relating to motor freight carriers.

SENATE BILL NO. 4491: Relating to judges pro tempore of the supreme court.

SUBSTITUTE SENATE BILL NO. 4505: Relating to investment service fees to the county treasurer.

SENATE BILL NO. 4506: Relating to the state treasurer's time certificate deposit program.

SENATE BILL NO. 4571: Relating to the sale of property by port districts.

SUBSTITUTE SENATE BILL NO. 4846: Relating to water projects.

SUBSTITUTE SENATE BILL NO. 4692: Relating to motorcycle operator training.

Sincerely,
MARILYN SHOWALTER
Counsel to the Governor.

SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 4133,

SUBSTITUTE SENATE BILL NO. 4285,

SUBSTITUTE SENATE BILL NO. 4824.

MOTION

At 9:05 a.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 11:44 a.m.

MOTION

At 11:45 a.m., on motion of Senator Clarke, the Senate adjourned until 9:00 a.m., Tuesday, March 30, 1982.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

NINETEENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Tuesday, March 30, 1982.

The Senate was called to order at 9:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Charnley, Pullen, Rasmussen, Sellar and Talley. On motion of Senator Ridder, Senators Charnley, Rasmussen and Talley were excused. On motion of Senator Bluechel, Senators Pullen and Sellar were excused.

The Color Guard, consisting of Pages Debrena Jackson and David Grant, presented the Colors. Reverend Lester G. Olson, pastor of Gloria Dei Lutheran Church of Olympia, offered the prayer.

MOTION

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

REPORT OF STANDING COMMITTEE

March 26, 1982.

SUBSTITUTE HOUSE BILL NO. 1014, delineating restrictions on taxing powers of counties, cities and towns (reported by Committee on Local Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Zimmerman, Chairman; Charnley, Fuller, Gould, Lee.

Passed to Committee on Rules for second reading.

MESSAGES FROM THE GOVERNOR

Office of the Governor, March 29, 1982.

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

LADIES AND GENTLEMEN:

I have the honor to advise you that on March 28, 1982 Governor Spellman approved the following Senate Bill entitled:

SENATE BILL NO. 4199, relating to state residential schools.

Sincerely,

MARILYN SHOWALTER

Counsel to the Governor.

Office of the Governor, March 29, 1982.

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

LADIES AND GENTLEMEN:

I have the honor to advise you that on March 27, 1982 Governor Spellman approved the following Senate Bills entitled:

SENATE BILL NO. 3394, relating to cogeneration facilities.

SENATE BILL NO. 3425, relating to social and health services.

SENATE BILL NO. 4307, relating to state park rangers.

SUBSTITUTE SENATE BILL NO. 4201, relating to insurance.

SENATE BILL NO. 4706, relating to Spirit Lake Memorial Highway.

SUBSTITUTE SENATE BILL NO. 4963, relating to port districts.

Sincerely,
 MARILYN SHOWALTER
 Counsel to the Governor.

MESSAGES FROM THE HOUSE

March 29, 1982

Mr. President: The Speaker has signed: SUBSTITUTE HOUSE BILL NO. 1156, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

March 29, 1982.

Mr. President: The Speaker has signed:
 SENATE BILL NO. 4133,
 SUBSTITUTE SENATE BILL NO. 4285,
 SUBSTITUTE SENATE BILL NO. 4824, and the same are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

March 29, 1982.

Mr. President: The House has passed:
 SUBSTITUTE HOUSE BILL NO. 17,
 ENGROSSED HOUSE BILL NO. 755,
 SUBSTITUTE HOUSE BILL NO. 1216, and the same are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

INTRODUCTION AND FIRST READING

SUBSTITUTE HOUSE BILL NO. 17, by Committee on Revenue (originally sponsored by Representative Sprague):

Modifying the 106% limit.

Referred to Committee on Ways and Means.

ENGROSSED HOUSE BILL NO. 755, by Representatives Prince, Fiske and Erickson:

Deducting trade-in allowances from the selling price for sales tax purposes.

Referred to Committee on Ways and Means.

SUBSTITUTE HOUSE BILL NO. 1216, by Committee on Ways and Means (originally sponsored by Committee on Ways and Means and Representative Chandler):

Authorizing institutions of higher education to purchase private sector services.

Referred to Committee on Ways and Means.

SIGNED BY THE PRESIDENT

The President signed: SUBSTITUTE HOUSE BILL NO. 1156.

MOTION

On motion of Senator Newhouse, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

March 30, 1982.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 4675 and has granted said committee the powers of Free conference, and the report of the Conference Committee is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

March 26, 1982.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 4675, as amended by the House, modifying the funding method for pupil transportation, have had the same under consideration, and we report that we cannot agree and request powers of Free Conference in order to recommend the following: That the House amendment not be adopted and the following substitute amendment be adopted:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 7, chapter 359, Laws of 1977 ex. sess. and RCW 28A.41-.162 are each amended to read as follows:

In addition to those state funds provided to school districts for basic education, the legislature shall appropriate funds for pupil transportation, in accordance with (~~RCW 28A.41.160~~) this chapter, and for programs for handicapped students, in accordance with chapter 28A.13 RCW. The legislature may appropriate funds to be distributed to school districts for population factors such as urban costs, enrollment fluctuations and for special programs, including but not limited to, vocational-technical institutes, compensatory programs, bilingual education, urban, rural, racial and disadvantaged programs, programs for gifted students, and other special programs.

Sec. 2. Section 4, chapter 265, Laws of 1981 and RCW 28A.41.520 are each amended to read as follows:

Each district's annual student transportation allocation shall be based on differential rates determined by the superintendent of public instruction in the following manner:

(1) The superintendent shall annually calculate a standard student mile allocation rate for each district. "Standard student mile allocation rate," as used in this (~~section~~) chapter, means the per mile allocation rate for transporting an eligible student. The standard student mile allocation rate may consist of no more than (~~five~~) eight differential rates state-wide, as determined by the superintendent, and shall include but not be limited to such factors as climate and terrain; restricted passenger load; nonpassenger miles; and the costs of insurance, district or contracted employee salaries, and benefits, maintenance, fuel, supplies, and materials to the extent that they are not under the direct control of the district. The standard student mile allocation rate shall be used to determine the transportation allocation for those services provided for in RCW 28A.41.505(1).

(2) The superintendent shall annually calculate a standard unit mile rate for each district. "Standard unit mile rate," as used in this section, means the cost of operating an approved transportation vehicle for one mile. The standard unit mile rate may consist of no more than (~~five~~) eight differential rates state-wide, as determined by the superintendent, and shall be based on the factors used in subsection (1) of this section. The standard unit mile rate shall be used to determine the transportation allocation for those services provided for in RCW 28A.41.505(2) and (3). For purposes of allocating funds for RCW 28A.41.505(2), the superintendent

shall use the average number of miles reported by the district for the two school years, excluding field trips.

(3) Prior to June 1st of each year the superintendent shall submit to the office of financial management, and the committees on education and ways and means of the senate and house of representatives a report outlining the methodology and rationale used in determining the student mile and unit mile rates to be used the following year.

Sec. 3. Section 5, chapter 265, Laws of 1981 and RCW 28A.41.525 are each amended to read as follows:

The superintendent shall determine the preliminary, estimated student transportation allocation for each district and notify districts of their preliminary student transportation allocation by June 15. ~~((The superintendent shall include not less than twenty-five percent of the estimated student transportation allocation in the following September apportionment payment to school districts.))~~ By the following October 15th, every district shall notify the superintendent of any changes in the data utilized in calculating the preliminary student transportation allocation. The superintendent shall then make necessary corrections and shall notify districts of their final student transportation allocation before the following December 1st ~~((and shall make the balance of the student transportation allocation in approximately equal parts as a part of the December, February, and April apportionment payments to school districts)).~~ If the number of eligible students in a school district changes ten percent or more from the final October 15 number, and the change is maintained for a period of twenty consecutive school days or more, the district may submit revised eligible student data to the superintendent of public instruction. The superintendent shall, to the extent funds are available, recalculate the district's allocation for the transportation of pupils to and from school.

The superintendent shall make the student transportation allocation in accordance with the apportionment payment schedule in RCW 28A.48.010, as now or hereafter amended. For the 1982-83 school year, no school district shall receive a reduction or increase in funds of over three percent of what it received the previous year as adjusted to its proportional share of funds appropriated by the legislature for 1982-83 transportation services.

NEW SECTION. Sec. 4. The superintendent of public instruction shall submit a report to the legislature which shall:

(1) Identify the factors that will be used to recognize cost differentials between districts, and the data elements that will be used to measure the factors that contribute to these cost differentials;

(2) Collect the appropriate financial and workload data necessary to measure cost differentials between districts;

(3) Describe and analyze the differential rates associated with the standard student mile allocation under the eligibility formula along with an analysis of each school district's eligibility for a differential rate. The rationale for choosing specific rates and the procedures used in evaluating district requests for differential rates shall also be included;

(4) Compare and analyze the difference in costs of changing the "eligible student" definition in RCW 28A.41.510 to include only those students whose residence or assigned route stop is more than one and one-half miles from the student's school, while still excepting handicapped students;

(5) Present a method of measuring potential ridership of eligible students within the formula utilizing factors which account for the variations associated with student demand on the district's transportation system;

(6) Compare the distribution of pupil transportation resources utilizing eligible student data, eligible student data modified by the student demand factor specified

in (5) above, and eligible students actually transported plus ten percent, with an analysis of the fiscal and program implications of each distribution method; and

(7) Present options for a continued phase-in of the eligible student allocation formula, with a description of the fiscal impact on school districts.

The report shall be submitted to the senate and house committees on education no later than December 15, 1982.

All data collected by the superintendent and requested by the committees on ways and means or education of the house or senate pertaining to the funding of pupil transportation shall be delivered to the legislative evaluation and accountability program (LEAP) as soon as possible in a machine readable form acceptable to the LEAP committee.

NEW SECTION. Sec. 1. Section 13, chapter 265, Laws of 1981 (uncodified) is hereby repealed.

NEW SECTION. Sec. 2. Sections 2 and 3 of this amendatory act shall take effect September 1, 1982.

NEW SECTION. Sec. 3. If any provision of this 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."

On line 1 of the title after "transportation;" strike the remainder of the title and insert the following "amending section 7, chapter 359, Laws of 1977 ex. sess. and RCW 28A.41.162; amending section 4, chapter 265, Laws of 1981 and RCW 28A.41.520; amending section 5, chapter 265, Laws of 1981 and RCW 28A.41.525; creating new sections; repealing section 13, chapter 265, Laws of 1981 (uncodified); and providing an effective date."

Signed by: Senators Kiskaddon, Lee and Wilson, Representatives Taylor, Johnson and Cole.

MOTION

On motion of Senator Newhouse, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference on Engrossed Substitute Senate Bill No. 4675.

MESSAGE FROM THE HOUSE

March 29, 1982.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3946 and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

March 29, 1982.

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3946, as amended by the House, increasing taxation of aircraft fuel have had the same under consideration, and we report that we cannot agree and request power of Free Conference in order to recommend the following: That the House recede from its amendments and that the following language be adopted:

On page 4, line 12, after "crews" insert "in Washington State" and after "aircraft" strike "in Washington State and"

Signed by: Senators Patterson, Hansen and von Reichbauer; Representatives Sprague, Lux and Owen.

MOTION

On motion of Senator Newhouse, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference on Engrossed Substitute Senate Bill No. 3946.

MESSAGE FROM THE HOUSE

March 26, 1982.

Mr. President: The House had adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 4748 and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

March 18, 1982.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 4748, as amended by the House, permitting breweries and wineries to conduct courses in beer and wines, have had the same under consideration, and we recommend that the powers of Free Conference be granted to consider the following proposed report of the Free Conference Committee.

AN ACT Relating to beer and wine; amending section 30, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 182, Laws of 1981 and RCW 66.28.040; amending section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 7, chapter ... (Engrossed Substitute House Bill No. 1063); Laws of 1982 and RCW 66.28.010; and adding a new section to chapter 66.28 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. There is added to chapter 66.28 RCW a new section to read as follows:

A brewery, winery, or wholesaler may, without charge, instruct licensees and their employees, or conduct courses of instruction for licensees and their employees, on the subject of beer or wine, including but not limited to, the history, nature, values, and characteristics of beer or wine, the use of wine lists, and the methods of presenting, serving, storing, and handling beer or wine. The brewery, winery, or wholesaler may furnish beer or wine and such other equipment, materials, and utensils as may be required for use in connection with the instruction or courses of instruction. The instruction or courses of instruction may be given at the premises of the brewery, winery, or wholesaler, at the premises of a retail licensee, or elsewhere.

Sec. 2. Section 30, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 182, Laws of 1981 and RCW 66.28.040 are each amended to read as follows:

No brewer, wholesaler, distiller, winery, importer, rectifier, or other manufacturer of liquor shall, within the state, by himself, his clerk, servant, or agent, give to any person any liquor; but nothing in this section nor in RCW 66.28.010 or 66.28.025 shall prevent a brewer, wholesaler, winery, or importer from furnishing samples of beer or wine to authorized licensees for the purpose of negotiating a sale, in accordance with regulations adopted by the liquor control board, provided that the samples are subject to taxes imposed by RCW 66.24.290 and 66.24.210; nothing in

this section shall prevent the furnishing of samples of liquor to the board for the purpose of negotiating the sale of liquor to the state liquor control board; nothing in this section shall prevent a brewery, winery, or wholesaler from furnishing beer or wine for instructional purposes under section 1 of this 1982 act; nothing in this section shall prevent a winery or wholesaler from furnishing wine without charge to a not-for-profit group organized and operated solely for the purpose of enology or the study of viticulture which has been in existence for at least six months and any wine so furnished shall be used solely for such educational purposes, provided that the wine furnished shall be subject to the taxes imposed by RCW 66.24.210; nothing in this section shall prevent a brewer from serving beer without charge, on the brewery premises; and nothing in this section shall prevent a domestic winery from serving wine without charge, on the winery premises.

Sec. 3. Section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 7, chapter ... (Engrossed Substitute House Bill No. 1063), Laws of 1982 and RCW 66.28.010 are each amended to read as follows:

(1) No manufacturer, importer, or wholesaler, or person financially interested, directly or indirectly, in such business, whether resident or nonresident, shall have any financial interest, direct or indirect, in any licensed retail business, nor shall any manufacturer, importer, or wholesaler own any of the property upon which such licensed persons conduct their business, nor shall any such licensed person, under any arrangement whatsoever, conduct his business upon property in which any manufacturer, importer, or wholesaler has any interest. Except as provided in subsection (3) of this section, no manufacturer, importer, or wholesaler shall advance moneys or moneys' worth to a licensed person under an arrangement, nor shall such licensed person receive, under an arrangement, an advance of moneys or moneys' worth: **PROVIDED**, That "person" as used in this section only shall not include those state or federally chartered banks, state or federally chartered savings and loan associations, state or federally chartered mutual savings banks, or institutional investors which are not controlled directly or indirectly by a manufacturer, importer, or wholesaler as long as the bank, savings and loan association, or institutional investor does not influence or attempt to influence the purchasing practices of the retailer with respect to alcoholic beverages. No manufacturer, importer, or wholesaler shall be eligible to receive or hold a retail license under this title, nor shall such manufacturer, importer, or wholesaler sell at retail any liquor as herein defined: **PROVIDED**, That nothing in this section shall prohibit a licensed brewer or domestic winery from being licensed as a retailer pursuant to chapter 66.24 RCW for the purpose of selling beer or wine of its own production at retail on the brewery or winery premises. Such beer and wine so sold at retail shall be subject to the taxes imposed by RCW 66.24.290 and 66.24.210 and to reporting and bonding requirements as prescribed by regulations adopted by the board pursuant to chapter 34.04 RCW: **PROVIDED FURTHER**, That nothing in this section shall prohibit a licensed brewer or domestic winery, or a lessee of a licensed brewer or domestic winery, from being licensed as a class H restaurant pursuant to chapter 66.24 RCW for the purpose of selling liquor at a class H premises on the property on which the primary manufacturing facility of the licensed brewer or domestic winery is located or on contiguous property owned by the licensed brewer or domestic winery as prescribed by regulations adopted by the board pursuant to chapter 34.04 RCW: **PROVIDED FURTHER**, That nothing in this section shall prohibit an importer, or wholesaler not licensed in this state, or any person financially interested, directly or indirectly, in such importing or wholesaling business from having less than a majority financial interest, direct or indirect, in any class A licensed retail business or from owning any of the property upon which such licensed retailer conducts its business so long as such wholesaler or importer does not have either financial interests or property interests affecting more than ten such class A retail licenses.

(2) Financial interest, direct or indirect, as used in this section, shall include any interest, whether by stock ownership, mortgage, lien, or through interlocking directors, or otherwise. Pursuant to rules promulgated by the board in accordance with chapter 34.04 RCW manufacturers, wholesalers and importers may perform, and retailers may accept the service of building, rotating and restocking case displays and stock room inventories; rotating and rearranging can and bottle displays of their own products; provide point of sale material and brand signs; price case goods of their own brands; and perform such similar normal business services as the board may by regulation prescribe.

(3)(a) This section does not prohibit a manufacturer, importer, or wholesaler from providing services to a class G or J retail licensee for: (i) Installation of draft beer dispensing equipment or advertising, (ii) advertising, pouring or dispensing of wine at a wine tasting exhibition or judging event, or (iii) a class G or J retail licensee from receiving any such services as may be provided by a manufacturer, importer, or wholesaler: PROVIDED, That nothing in this section shall prohibit a retail licensee, or any person financially interested, directly or indirectly, in such a retail licensee from having a financial interest, direct or indirect, in a business which provides, for a compensation commensurate in value to the services provided, bottling, canning or other services to a manufacturer, so long as the retail licensee or person interested therein has no direct financial interest in or control of said manufacturer.

(b) The board shall adopt such rules as are deemed necessary to carry out the purposes and provisions of subsection (3)(a) of this section in accordance with the administrative procedure act, chapter 34.04 RCW.

Signed by: Senators Quigg, Vognild and Benitz; Representatives Sanders, Patrick and King.

MOTION

On motion of Senator Newhouse, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference on Engrossed Senate Bill No. 4748.

MESSAGE FROM THE HOUSE

March 29, 1982.

Mr. President: The House has adopted ENGROSSED SENATE CONCURRENT RESOLUTION NO. 143 with the following amendments:

On page 1, line 2 strike "authorized purchase of" and insert "purchased"

On page 1, beginning on line 2 after "Road" strike "through the sale of several million dollars of bonds"

On page 1, strike all language on lines 7 and 8

On page 1, beginning on line 13 strike "of the trail in the light of the state's investment"

On page 1, line 26 after "Office," insert "the Association of Washington Counties," and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Guess, the Senate concurred in the House amendments to Engrossed Senate Concurrent Resolution No. 143.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 143, as amended by the House, and the resolution passed the Senate by the following vote: Yeas, 43; nays, 1; excused, 5.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Ridder, Scott, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—43.

Voting nay: Senator McCaslin—1.

Excused: Senators Charnley, Pullen, Rasmussen, Sellar, Talley—5.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 143, as amended by the House, having received the constitutional majority, was declared passed.

MESSAGE FROM THE HOUSE

March 19, 1982.

Mr. President: The House refuses to concur in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 808, and asks the Senate to recede therefrom, and said bill with the Senate amendments thereto is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Newhouse, the rules were suspended, Substitute House Bill No. 808 was returned to second reading.

MOTION

On motion of Senator Deccio, the following amendment by Senators Deccio and Talmadge was adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to chapter 143, Laws of 1981 a new section to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) For design, site preparation including land acquisition at a nominal cost, and utilities for a 500-bed medium security corrections center the total cost of which shall be verified by the legislative budget committee with assistance from the department of general administration as provided in section 2(1) of this act.

General Fund—State Social and Health Services

Construction Account Appropriation \$ 9,750,000

(2) For design and site planning, including land acquisition for a 500-bed medium security corrections center. The total cost of construction of this 500-bed medium security corrections center shall be verified by the legislative budget committee as provided in section 2(2) of this act.

General Fund—State Social and Health Services

Construction Account Appropriation \$ 2,980,000

(3) To repair heating and ventilation systems at the McNeil Island Corrections Center: PROVIDED, That these funds shall not be expended until the department of general administration completes an engineering energy audit of this facility as authorized under RCW 43.19.675.

General Fund—State Social and Health Services

Construction Account Appropriation \$ 500,000

NEW SECTION. Sec. 2. (1) The department of corrections shall submit to the department of general administration a complete report concerning the design, program, square-footage analysis, and associated costs for the prison facilities identified in section 1(1) of this act. The report from the department of corrections shall be subject to review and analysis by the legislative budget committee in cooperation with the department of general administration. The design procedures of the department of corrections shall be subject to analysis regarding the level of capital expenditures identified in section 1(1) of this act. This oversight process shall be accomplished by December 1, 1982, to avoid construction delays and cost overruns.

(2) The legislative budget committee shall conduct an analysis, including, but not limited to: The department of corrections' long-range facility plans, prison design selection process, alternate prison designs from other states, expanded use of existing facilities, review and possible expanded use of community corrections programs including the treatment alternatives to street crime diversion program and the Monroe House program, correctional standards, relevant court decisions, alternate staffing plans, prison design as it affects staffing costs, and inmate population projections and length of stay. The legislative budget committee shall report back to the institutions committee in the house of representatives and the social and health services committee in the senate by December 1, 1982.

Sec. 3. Section 1, chapter 234, Laws of 1981 and RCW 43.83H.172 are each amended to read as follows:

For the purpose of providing needed capital improvements consisting of the planning, acquisition, construction, remodeling, improving, and equipping of social and health services and department of corrections facilities, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of one hundred forty-seven million (~~eight~~) two hundred eighty thousand dollars, or so much thereof as may be required, to finance these projects, and all costs incidental thereto. No bonds authorized by RCW 43.83H.172 through 43.83H.182 may be offered for sale without prior legislative appropriation.

The bonds shall pledge the full faith and credit of the state of Washington and contain an unconditional promise to pay the principal and interest when due.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On motion of Senator Deccio, the following amendment by Senators Deccio and Talmadge to the title was adopted:

On page 1, line 1 of the title, after "corrections;" strike the remainder of the title and insert "amending section 1, chapter 234, Laws of 1981 and RCW 43.83H.172; adding a new section to chapter 143, Laws of 1981; creating a new section; and declaring an emergency."

On motion of Senator Deccio, the rules were suspended, Substitute House Bill No. 808, 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 Substitute House Bill No. 808, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurlley, Jones, Kiskaddon, Lee, Lysen, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Ridder, Scott, Sellar, Shinpoch, Talmadge, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—43.

Voting nay: Senators Bottiger, McDermott, Vognild—3.

Excused: Senators Charnley, Rasmussen, Talley—3.

SUBSTITUTE HOUSE BILL NO. 808, 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 Deccio, Substitute House Bill No. 808, as amended by the Senate, was ordered immediately transmitted to the House.

MOTION

At 9:35 a.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 10:45 a.m.

MOTION

At 10:46 a.m., on motion of Senator Clarke, the Senate recessed until 3:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 3:30 p.m.

SIGNED BY THE PRESIDENT

The President signed: SENATE CONCURRENT RESOLUTION NO. 143.

MESSAGE FROM THE HOUSE

March 29, 1982.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3946, and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

March 30, 1982.

Mr. Speaker:

Mr. President:

We of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3946, as amended by the House, increasing taxation of aircraft fuel have had the same under consideration, and we recommend that the House recede from its amendments and that the following language be adopted:

On page 4, line 12, after "crews" insert "in Washington State" and after "aircraft" strike "in Washington State and"

Signed by: Senators Patterson, Hansen and von Reichbauer; Representatives Sprague, Lux and Owen.

MOTION

On motion of Senator Patterson, the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 3946, was adopted.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 3946, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 30; nays, 7; absent or not voting, 11; excused, 1.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Deccio, Fleming, Fuller, Gaspard, Goltz, Guess, Hansen, Hemstad, Jones, Kiskaddon, Lee, Metcalf, Moore, Newhouse, Patterson, Peterson, Rasmussen, Ridder, Sellar, Talmadge, Vognild, von Reichbauer, Wilson—30.

Voting nay: Senators Hurley, Lysen, McCaslin, Pullen, Shinpoch, Wojahn, Woody—7.

Absent or not voting: Senators Craswell, Gallagher, Gould, Haley, Hayner, Hughes, McDermott, Quigg, Scott, Williams, Zimmerman—11.

Excused: Senator Talley—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3946, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fleming, Senator Hughes was excused.

MESSAGE FROM THE HOUSE

March 30, 1982.

Mr. President: The House had adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 4675 and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

March 26, 1982.

Mr. President:

Mr. Speaker:

We of your Free Conference Committee, to whom was referred, ENGROSSED SUBSTITUTE SENATE BILL NO. 4675, as amended by the House, modifying the funding method for pupil transportation, have had the same under consideration, and we recommend that the House amendment not be adopted and the following substitute amendment be adopted:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 7, chapter 359, Laws of 1977 ex. sess. and RCW 28A.41-.162 are each amended to read as follows:

In addition to those state funds provided to school districts for basic education, the legislature shall appropriate funds for pupil transportation, in accordance with (~~RCW 28A.41.160~~) this chapter, and for programs for handicapped students, in accordance with chapter 28A.13 RCW. The legislature may appropriate funds to be distributed to school districts for population factors such as urban costs, enrollment fluctuations and for special programs, including but not limited to, vocational-technical institutes, compensatory programs, bilingual education, urban, rural, racial and disadvantaged programs, programs for gifted students, and other special programs.

Sec. 2. Section 4, chapter 265, Laws of 1981 and RCW 28A.41.520 are each amended to read as follows:

Each district's annual student transportation allocation shall be based on differential rates determined by the superintendent of public instruction in the following manner:

(1) The superintendent shall annually calculate a standard student mile allocation rate for each district. "Standard student mile allocation rate," as used in this ~~((section))~~ chapter, means the per mile allocation rate for transporting an eligible student. The standard student mile allocation rate may consist of no more than ~~((five))~~ eight differential rates state-wide, as determined by the superintendent, and shall include but not be limited to such factors as climate and terrain; restricted passenger load; nonpassenger miles; and the costs of insurance, district or contracted employee salaries, and benefits, maintenance, fuel, supplies, and materials to the extent that they are not under the direct control of the district. The standard student mile allocation rate shall be used to determine the transportation allocation for those services provided for in RCW 28A.41.505(1).

(2) The superintendent shall annually calculate a standard unit mile rate for each district. "Standard unit mile rate," as used in this section, means the cost of operating an approved transportation vehicle for one mile. The standard unit mile rate may consist of no more than ~~((five))~~ eight differential rates state-wide, as determined by the superintendent, and shall be based on the factors used in subsection (1) of this section. The standard unit mile rate shall be used to determine the transportation allocation for those services provided for in RCW 28A.41.505(2) and (3). For purposes of allocating funds for RCW 28A.41.505(2), the superintendent shall use the average number of miles reported by the district for the two school years, excluding field trips.

(3) Prior to June 1st of each year the superintendent shall submit to the office of financial management, and the committees on education and ways and means of the senate and house of representatives a report outlining the methodology and rationale used in determining the student mile and unit mile rates to be used the following year.

Sec. 3. Section 5, chapter 265, Laws of 1981 and RCW 28A.41.525 are each amended to read as follows:

The superintendent shall determine the preliminary, estimated student transportation allocation for each district and notify districts of their preliminary student transportation allocation by June 15. ~~((The superintendent shall include not less than twenty-five percent of the estimated student transportation allocation in the following September apportionment payment to school districts.))~~ By the following October 15th, every district shall notify the superintendent of any changes in the data utilized in calculating the preliminary student transportation allocation. The superintendent shall then make necessary corrections and shall notify districts of their final student transportation allocation before the following December 1st ~~((and shall make the balance of the student transportation allocation in approximately equal parts as a part of the December, February, and April apportionment payments to school districts))~~. If the number of eligible students in a school district changes ten percent or more from the final October 15 number, and the change is maintained for a period of twenty consecutive school days or more, the district may submit revised eligible student data to the superintendent of public instruction. The superintendent shall, to the extent funds are available, recalculate the district's allocation for the transportation of pupils to and from school.

The superintendent shall make the student transportation allocation in accordance with the apportionment payment schedule in RCW 28A.48.010, as now or hereafter amended. For the 1982-83 school year, no school district shall receive a reduction or increase in funds of over three percent of what it received the previous year as adjusted to its proportional share of funds appropriated by the legislature for 1982-83 transportation services.

NEW SECTION. Sec. 4. The superintendent of public instruction shall submit a report to the legislature which shall:

(1) Identify the factors that will be used to recognize cost differentials between districts, and the data elements that will be used to measure the factors that contribute to these cost differentials;

(2) Collect the appropriate financial and workload data necessary to measure cost differentials between districts;

(3) Describe and analyze the differential rates associated with the standard student mile allocation under the eligibility formula along with an analysis of each school district's eligibility for a differential rate. The rationale for choosing specific rates and the procedures used in evaluating district requests for differential rates shall also be included;

(4) Compare and analyze the difference in costs of changing the "eligible student" definition in RCW 28A.41.510 to include only those students whose residence or assigned route stop is more than one and one-half miles from the student's school, while still excepting handicapped students;

(5) Present a method of measuring potential ridership of eligible students within the formula utilizing factors which account for the variations associated with student demand on the district's transportation system;

(6) Compare the distribution of pupil transportation resources utilizing eligible student data, eligible student data modified by the student demand factor specified in (5) above, and eligible students actually transported plus ten percent, with an analysis of the fiscal and program implications of each distribution method; and

(7) Present options for a continued phase-in of the eligible student allocation formula, with a description of the fiscal impact on school districts.

The report shall be submitted to the senate and house committees on education no later than December 15, 1982.

All data collected by the superintendent and requested by the committees on ways and means or education of the house or senate pertaining to the funding of pupil transportation shall be delivered to the legislative evaluation and accountability program (LEAP) as soon as possible in a machine readable form acceptable to the LEAP committee.

NEW SECTION. Sec. 5. Section 13, chapter 265, Laws of 1981 (uncodified) is hereby repealed.

NEW SECTION. Sec. 6. Sections 2 and 3 of this amendatory act shall take effect September 1, 1982.

NEW SECTION. Sec. 7. If any provision of this 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."

On line 1 of the title after "transportation;" strike the remainder of the title and insert the following "amending section 7, chapter 359, Laws of 1977 ex. sess. and RCW 28A.41.162; amending section 4, chapter 265, Laws of 1981 and RCW 28A.41.520; amending section 5, chapter 265, Laws of 1981 and RCW 28A.41.525; creating new sections; repealing section 13, chapter 265, Laws of 1981 (uncodified); and providing an effective date."

Signed by: Senators Kiskaddon, Wilson and Lee; Representatives Taylor, Johnson and Cole.

MOTION

On motion of Senator Kiskaddon, the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 4675, was adopted.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 4675, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 40; absent or not voting, 7; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Guess, Hansen, Hemstad, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Rasmussen, Ridder, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—40.

Absent or not voting: Senators Craswell, Gould, Haley, Hayner, McDermott, Quigg, Scott—7.

Excused: Senators Hughes, Talley—2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4675, 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

March 19, 1982.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 4748, and has passed the bill as amended by the Free Conference Committee, and said report together with the bill is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

March 18, 1982

Mr. President:

Mr. Speaker:

We of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 4748, as amended by the House, permitting breweries and wineries to conduct courses in beer and wines, have had the same under consideration, and we recommend that the following proposed report which has been agreed to by the Free Conference Committee be adopted.

AN ACT Relating to beer and wine; amending section 30, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 182, Laws of 1981 and RCW 66.28.040; amending section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 7, chapter ... (Engrossed Substitute House Bill No. 1063), Laws of 1982 and RCW 66.28.010; and adding a new section to chapter 66.28 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. There is added to chapter 66.28 RCW a new section to read as follows:

A brewery, winery, or wholesaler may, without charge, instruct licensees and their employees, or conduct courses of instruction for licensees and their employees, on the subject of beer or wine, including but not limited to, the history, nature, values, and characteristics of beer or wine, the use of wine lists, and the methods of presenting, serving, storing, and handling beer or wine. The brewery, winery, or wholesaler may furnish beer or wine and such other equipment, materials, and utensils as may be required for use in connection with the instruction or courses of

instruction. The instruction or courses of instruction may be given at the premises of the brewery, winery, or wholesaler, at the premises of a retail licensee, or elsewhere.

Sec. 2. Section 30, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 182, Laws of 1981 and RCW 66.28.040 are each amended to read as follows:

No brewer, wholesaler, distiller, winery, importer, rectifier, or other manufacturer of liquor shall, within the state, by himself, his clerk, servant, or agent, give to any person any liquor; but nothing in this section nor in RCW 66.28.010 or 66.28-.025 shall prevent a brewer, wholesaler, winery, or importer from furnishing samples of beer or wine to authorized licensees for the purpose of negotiating a sale, in accordance with regulations adopted by the liquor control board, provided that the samples are subject to taxes imposed by RCW 66.24.290 and 66.24.210; nothing in this section shall prevent the furnishing of samples of liquor to the board for the purpose of negotiating the sale of liquor to the state liquor control board; nothing in this section shall prevent a brewery, winery, or wholesaler from furnishing beer or wine for instructional purposes under section 1 of this 1982 act; nothing in this section shall prevent a winery or wholesaler from furnishing wine without charge to a not-for-profit group organized and operated solely for the purpose of enology or the study of viticulture which has been in existence for at least six months and any wine so furnished shall be used solely for such educational purposes, provided that the wine furnished shall be subject to the taxes imposed by RCW 66.24.210; nothing in this section shall prevent a brewer from serving beer without charge, on the brewery premises; and nothing in this section shall prevent a domestic winery from serving wine without charge, on the winery premises.

Sec. 3. Section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 7, chapter ... (Engrossed Substitute House Bill No. 1063), Laws of 1982 and RCW 66.28.010 are each amended to read as follows:

(1) No manufacturer, importer, or wholesaler, or person financially interested, directly or indirectly, in such business, whether resident or nonresident, shall have any financial interest, direct or indirect, in any licensed retail business, nor shall any manufacturer, importer, or wholesaler own any of the property upon which such licensed persons conduct their business, nor shall any such licensed person, under any arrangement whatsoever, conduct his business upon property in which any manufacturer, importer, or wholesaler has any interest. Except as provided in subsection (3) of this section, no manufacturer, importer, or wholesaler shall advance moneys or moneys' worth to a licensed person under an arrangement, nor shall such licensed person receive, under an arrangement, an advance of moneys or moneys' worth: PROVIDED, That "person" as used in this section only shall not include those state or federally chartered banks, state or federally chartered savings and loan associations, state or federally chartered mutual savings banks, or institutional investors which are not controlled directly or indirectly by a manufacturer, importer, or wholesaler as long as the bank, savings and loan association, or institutional investor does not influence or attempt to influence the purchasing practices of the retailer with respect to alcoholic beverages. No manufacturer, importer, or wholesaler shall be eligible to receive or hold a retail license under this title, nor shall such manufacturer, importer, or wholesaler sell at retail any liquor as herein defined: PROVIDED, That nothing in this section shall prohibit a licensed brewer or domestic winery from being licensed as a retailer pursuant to chapter 66.24 RCW for the purpose of selling beer or wine of its own production at retail on the brewery or winery premises. Such beer and wine so sold at retail shall be subject to the taxes imposed by RCW 66.24.290 and 66.24.210 and to reporting and bonding requirements as prescribed by regulations adopted by the board pursuant to chapter 34.04 RCW: PROVIDED FURTHER, That nothing in this section shall prohibit a licensed brewer or domestic winery, or a lessee of a licensed brewer or domestic

winery, from being licensed as a class H restaurant pursuant to chapter 66.24 RCW for the purpose of selling liquor at a class H premises on the property on which the primary manufacturing facility of the licensed brewer or domestic winery is located or on contiguous property owned by the licensed brewer or domestic winery as prescribed by regulations adopted by the board pursuant to chapter 34.04 RCW: PROVIDED FURTHER, That nothing in this section shall prohibit an importer, or wholesaler not licensed in this state, or any person financially interested, directly or indirectly, in such importing or wholesaling business from having less than a majority financial interest, direct or indirect, in any class A licensed retail business or from owning any of the property upon which such licensed retailer conducts its business so long as such wholesaler or importer does not have either financial interests or property interests affecting more than ten such class A retail licenses.

(2) Financial interest, direct or indirect, as used in this section, shall include any interest, whether by stock ownership, mortgage, lien, or through interlocking directors, or otherwise. Pursuant to rules promulgated by the board in accordance with chapter 34.04 RCW manufacturers, wholesalers and importers may perform, and retailers may accept the service of building, rotating and restocking case displays and stock room inventories; rotating and rearranging can and bottle displays of their own products; provide point of sale material and brand signs; price case goods of their own brands; and perform such similar normal business services as the board may by regulation prescribe.

(3)(a) This section does not prohibit a manufacturer, importer, or wholesaler from providing services to a class G or J retail licensee for: (i) Installation of draft beer dispensing equipment or advertising, (ii) advertising, pouring or dispensing of wine at a wine tasting exhibition or judging event, or (iii) a class G or J retail licensee from receiving any such services as may be provided by a manufacturer, importer, or wholesaler: **PROVIDED**, That nothing in this section shall prohibit a retail licensee, or any person financially interested, directly or indirectly, in such a retail licensee from having a financial interest, direct or indirect, in a business which provides, for a compensation commensurate in value to the services provided, bottling, canning or other services to a manufacturer, so long as the retail licensee or person interested therein has no direct financial interest in or control of said manufacturer.

(b) The board shall adopt such rules as are deemed necessary to carry out the purposes and provisions of subsection (3)(a) of this section in accordance with the administrative procedure act, chapter 34.04 RCW.

Signed by: Senators Quigg, Vognild and Benitz; Representatives Sanders, Patrick and King.

MOTION

Senator Benitz moved the report of the Free Conference Committee on Engrossed Senate Bill No. 4748 be adopted.

PARLIAMENTARY INQUIRY

Senator Rasmussen: "Mr. President, could I inquire if the free conference report on 4748 has laid on the desks the appropriate time, twenty-four hours? The reason I ask that question, Mr. President, we, of course, will work on no wine until it is properly aged before its time, but also to bring to the attention of the conference and free conference committees that we do have rules that would specify a free conference report must lay on the desk for twenty-four hours before being adopted."

REPLY BY THE PRESIDENT

President Cherberg: "Senator, the bill has aged twenty-four hours but it has not been aged thirty-six hours as required by the rules."

Senator Rasmussen: "It is my understanding that in the last days of the session only takes twenty-four hours or thirty-six hours"

President Cherberg: "Budget bill twenty-four hours, this bill thirty-six."

Senator Rasmussen: "It has not aged long enough then?"

President Cherberg: "It could be waived, Senator, if you don't mind 'waiving' before your time."

MOTIONS

On motion of Senator Clarke, the rules were suspended to waive the 36-hour requirement for consideration of the Free Conference report on Engrossed Senate Bill No. 4748.

The motion by Senator Benitz carried and the report of the Free Conference Committee on Engrossed Senate Bill No. 4748 was adopted.

POINT OF INQUIRY

Senator Wojahn: "Senator Vognild, I heard rumors around this chambers and throughout that there was a special interest called the 'Godfather's Pizza' people that wanted an amendment on this bill. Does this amended bill now contain that particular amendment?"

Senator Vognild: "Yes, it does, Senator. It contains some restrictive language as well. In restricting, an importer or wholesaler not licensed in this state, they may not hold a majority financial interest in any Class A license retail business, and they may not hold even a partial interest in any more than ten such retail licenses."

Debate ensued.

POINT OF INQUIRY

Senator Rasmussen: "Senator Benitz, do you know anything about this 'Godfather Pizza' deal that was referred to by Senator Wojahn?"

Senator Benitz: "Senator Rasmussen, I know what is in the bill. I am not very pleased with it and I would hope that it does not become a part of the bill in the final analysis. I think it is a slight revision of what we call the 'Tied House' amendment to the statutes and it is probably not the best way to go. I don't see anything really wrong with it but I question whether or not it will make it all the way through.

"We do need the first part of the bill and as you sometimes happen to get some decoration and that is what has happened here; we were not able to wipe it off, that is the reason for the free conference committee and it is simply before us and I ask that you bear with us and I think it will finally not survive."

Senator Rasmussen: "Well, this is the free conference report, isn't it?"

Senator Benitz: "Yes, but there is one other agency has to act on it before it goes into law."

Senator Rasmussen: "The wine aged too much, Mr. President. As I understand it, Senator Benitz, this is the law once we adopt it. This is the report of the free conference committee that we are adopting and everything that is in here will be part of the law."

Senator Benitz: "Yes, Senator Rasmussen, but the executive still has to act on it."

Senator Rasmussen: "I don't know how much he knows about wine. I have one more question, Senator Benitz. If I have a political campaign committee and been

organized for six months as most of our campaign committees are, I could get some winery to come in and have a wine-tasting party if I could get somebody to donate the cheese also?"

Senator Benitz: "No, not under this bill. You would have to be organized for the specific purpose of the study of enology, or the study of viticulture, and political committees are not very interested in either of those two rather dry subjects."

Senator Rasmussen: "Thank you, Senator Benitz."

MOTION

On motion of Senator Ridder, Senator Williams was excused.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4748, 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, 4; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Charnley, Clarke, Conner, Deccio, Fleming, Fuller, Gallagher, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, Moore, Newhouse, Patterson, Peterson, Ridder, Scott, Sellar, Talmadge, Vognild, von Reichbauer—29.

Voting nay: Senators Bottiger, Gaspard, Goltz, Lysen, McCaslin, Metcalf, Pullen, Rasmussen, Shinpoch, Wilson, Wojahn, Woody, Zimmerman—13.

Absent or not voting: Senators Craswell, Gould, McDermott, Quigg—4.

Excused: Senators Hughes, Talley, Williams—3.

ENGROSSED SENATE BILL NO. 4748, 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

March 30, 1982.

Mr. President: The House has adopted the report of the Conference Committee on SENATE BILL NO. 4717, and has granted said committee the powers of Free Conference and the report of the Conference Committee is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

March 26, 1982.

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SENATE BILL NO. 4717 as amended by the House, giving free copies of state statutes and rules to legislative committees, have had the same under consideration, and we report that we cannot agree and request powers of Free Conference in order to recommend the following:

AN ACT Relating to state publications; amending section 4, chapter 150, Laws of 1941 as last amended by section 1, chapter 162, Laws of 1981 and RCW 40.04-.040; amending section 5, chapter 150, Laws of 1941 as last amended by section 13, chapter 87, Laws of 1980 and RCW 40.04.090; amending section 3, chapter 136, Laws of 1907 as last amended by section 2, chapter 6, Laws of 1969 and RCW 44.20.030; amending section 5, chapter 136, Laws of 1907 as last amended by section 4, chapter 6, Laws of 1969 and RCW 44.20.050; amending section 10, chapter 257, Laws of 1953 and RCW 1.08.060; amending section 5, chapter 234, Laws of

1959 as last amended by section 12, chapter 186, Laws of 1980 and RCW 34.04-.050; adding a new section to chapter 40.04 RCW; and repealing section 4, chapter 136, Laws of 1907, section 2, chapter 27, Laws of 1933, section 2, chapter 31, Laws of 1933 ex. sess., section 3, chapter 6, Laws of 1969, section 2, chapter 162, Laws of 1981 and RCW 44.20.040.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 4, chapter 150, Laws of 1941 as last amended by section 1, chapter 162, Laws of 1981 and RCW 40.04.040 are each amended to read as follows:

Permanent session laws shall be distributed, sold, and/or exchanged by the state law librarian as follows:

(1) Copies shall be given as follows: One to each United States senator and representative in congress from this state; ~~((six))~~ two to the Library of Congress; ~~((one to each United States executive department as defined by section 1, title 5, of the United States Code, three))~~ one to the United States supreme court library; three to the library of the circuit court of appeals of the ninth circuit; ~~((one))~~ two to each United States district court room within this state; ~~((one))~~ two to each office and branch office of the United States district attorneys in this state; one to each state official whose office is created by the Constitution; ~~((one to the judge advocate's office at Fort Lewis, one to each member of the legislature, session law indexer,))~~ two each to the president of the senate, secretary ((and assistant secretary)) of the senate, speaker of the house of representatives, and chief clerk ((and the assistant chief clerk)) of the house of representatives, (-, the minute clerk and sergeant-at-arms of the two branches of the legislature of the sessions of which they occupied the offices and positions mentioned; one copy each to the Olympia representatives of the Associated Press and the United Press)) and such additional copies as they may request; fourteen copies to the code reviser; two copies to the state library; two copies to the law library of the University of Puget Sound law school; two copies to the law library of Gonzaga University law school; ((and)) two copies to the law libraries of any accredited law schools as are hereafter established in this state; one copy to each state adult correctional institution; and one copy to each state mental institution.

(2) Copies, for official use only, shall be distributed as follows: ~~((One to each state department and to each division thereof, one to each state official whose office is created by the Constitution, except))~~ Two copies to the governor ((who shall receive three copies)); one each to the ((adjutant general, the)) state historical society(;;) and the state bar association((-, and to each state institution; one copy for each assistant attorney general who maintains his office in the attorney general's suite, and one additional copy for his stenographer's room)); and one copy to each prosecuting attorney ((and one for each of his deputies)).

Sufficient copies shall be furnished for the use of the supreme court, the court of appeals, the superior courts, and the state law library as from time to time are needed. Eight copies shall be distributed to the University of Washington law library; one copy each to the offices of the president and the board of regents of the University of Washington, the dean of the University of Washington school of law, and to the University of Washington library; one copy to the library of each of the regional universities and to The Evergreen State College; one copy ~~((each))~~ to the president of the Washington State University and four copies to the Washington State University library. Six copies shall be sent to the King county law library, and one copy to each of the county law libraries organized pursuant to law ~~((in the counties of the first, second, and third class));~~ one copy to each public library in cities of the first class, and one copy to the municipal reference branch of the Seattle public library.

~~((At the convening of each session of the legislature the state law librarian shall deliver to the chief clerk of the house of representatives twenty copies, and to the secretary of the senate, ten copies, of the laws of the preceding general session and of any intervening session for the use of the legislators during the ensuing session but which shall be returned to the state law library at the expiration of the legislative session:~~

~~It shall be the duty of each county auditor biennially to submit to the state law librarian a list of county officers, including the prosecuting attorney and his regular full-time deputies and the justices of the peace and superior court rooms regularly used by a justice of the peace or superior court judge, and the correct number of bound copies of the session laws necessary for the official use only of such officers and court rooms will be sent, transportation collect, to said county auditor who shall be responsible for the distribution thereof to the county officials entitled to receive them:))~~

(3) Surplus copies of the session laws shall be sold and delivered by the state law librarian, in which case the price of the bound volumes shall be twenty dollars each. All moneys received from the sale of such bound volumes of session laws shall be paid into the state treasury for the general fund.

(4) The state law librarian is authorized to exchange bound copies of the session laws for similar laws or legal materials of other states, territories, and governments, and to make such other and further distribution of the bound volumes as in his judgment seems proper.

Sec. 2. Section 5, chapter 150, Laws of 1941 as last amended by section 13, chapter 87, Laws of 1980 and RCW 40.04.090 are each amended to read as follows:

The house and senate journals shall be distributed and/or sold by the state law librarian as follows:

(1) Sets shall be distributed as follows: One set to each (~~member of the legislature;~~) secretary and assistant secretary of the senate, chief clerk and assistant to the chief clerk of the house of representatives, and to each minute clerk and sergeant-at-arms of the two branches of the legislature of which they occupy the offices and positions mentioned. One to each official whose office is created by the Constitution, and one to each state department director; three copies to the University of Washington law library; two copies to the University of Washington library; one to the King county law library; one to the Washington State University library; one to the library of each of the regional universities and to The Evergreen State College; one to the law library of Gonzaga University law school; one to the law library of the University of Puget Sound law school; one to the law libraries of any accredited law school as hereafter established in this state; and one to each free public library in the state which requests it.

(2) ~~((A set of the))~~ House and senate journals of the preceding regular session during an odd- or even-numbered year, and of any intervening special session, shall be ((placed on the desk of each legislator for his use during the ensuing session, which shall be returned to the state law library at the expiration of the legislative session)) provided for use of legislators in such numbers as directed by the chief clerk of the house of representatives and secretary of the senate; and sufficient sets shall be retained for the use of the state law library.

(3) Surplus sets of the house and senate journals shall be sold and delivered by the state law librarian, in which case the price shall be ~~((fifteen))~~ thirty-five dollars plus postage for those of the regular sessions during an odd- or even-numbered year, and ~~((ten dollars))~~ at a price determined by the state printer to cover the costs of paper, printing, binding and postage for those of the special sessions, when separately bound, and the proceeds therefrom shall be paid to the state treasurer for the general fund.

(4) The state law librarian is authorized to exchange copies of the house and senate journals for similar journals of other states, territories, and/or governments, or for other legal materials, and to make such other and further distribution of them as in his judgment seems proper.

Sec. 3. Section 3, chapter 136, Laws of 1907 as last amended by section 2, chapter 6, Laws of 1969 and RCW 44.20.030 are each amended to read as follows:

The statute law committee, after each and every legislative session, whether regular or extraordinary, shall cause to be reproduced or printed for temporary use ~~((four thousand copies))~~ separate copies of each act filed in the office of secretary of state within ten days after the filing thereof ~~((, and in the order of its chapter number))~~.

The committee shall cause to be reproduced or printed three thousand copies or such additional number as may be necessary of temporary bound sets of all acts filed in the office of secretary of state within seventy-five days after the final adjournment of the legislature for that year.

Sec. 4. Section 5, chapter 136, Laws of 1907 as last amended by section 4, chapter 6, Laws of 1969 and RCW 44.20.050 are each amended to read as follows:

When all of the acts of any session of the legislature and initiative measures enacted by the people since the next preceding session have been certified to the statute law committee, the code reviser employed by the statute law committee shall make the proper headings and index of such acts or laws and, after such work has been completed, the statute law committee shall have published and bound in good buckram at least ~~((two thousand))~~ six hundred copies or such additional copies as may be necessary of such acts and laws, with such headings and indexes, and such other matter as may be deemed essential, including a title page showing the session at which such acts were passed, the date of convening and adjournment of the session, and any other matter deemed proper, including a certificate by the secretary of state of such referendum measures as may have been enacted by the people since the next preceding session.

NEW SECTION. Sec. 5. There is added to chapter 40.04 RCW a new section to read as follows:

The statute law committee, after each legislative session, shall furnish one temporary bound copy of each act as published under chapter 44.20 RCW to each member of the legislature at which such law was enacted, and to each state department or division thereof, commission, committee, board, and council, and to community colleges. Thirty-five copies shall be furnished to the senate and fifty copies to the house of representatives or such other number as may be requested. Two copies shall be furnished the administrator for the courts. One copy shall be furnished for each assistant attorney general; and one copy each to the Olympia representatives of the Associated Press and the United Press.

Each county auditor shall submit each year to the statute law committee a list of county officials requiring temporary session laws for official use only, and the auditor shall receive and distribute such copies to the county officials.

There shall be a charge of five dollars for each of the complete sets of such temporary publications when delivered to any person, firm, corporation, or institution excepting the persons and institutions named in this section. All moneys received from the sale of such temporary sets shall be transmitted to the state treasurer who shall deposit the same in the state treasury to the credit of the general fund.

Sec. 6. Section 10, chapter 257, Laws of 1953 and RCW 1.08.060 are each amended to read as follows:

The committee may loan sets of the code and materials supplemental thereto

(1) for the use of senate committees, ~~((fifteen))~~ a quantity as required by advice from the secretary of the senate, not to exceed twenty-five sets;

(2) for use of the house committees, ~~((twenty))~~ a quantity as required by advice from the chief clerk of the house, not to exceed thirty-five sets;

(3) to the state law library for library use;

(4) for use of the reviser's office, as required;

(5) for use of recognized news reporting services maintaining permanent offices at the capitol, three sets.

The committee may exchange copies of RCW for codes or compilations of other states.

Sec. 7. Section 5, chapter 234, Laws of 1959 as last amended by section 12, chapter 186, Laws of 1980 and RCW 34.04.050 are each amended to read as follows:

(1) The code reviser shall, as soon as practicable after ~~((the effective date of this chapter))~~ March 23, 1960, compile and index all rules adopted by each agency and remaining in effect. Compilations shall be supplemented or revised as often as necessary and at least once every two years.

(2) The code reviser shall publish a register in which he shall set forth the text of all rules filed during the appropriate register publication period ~~(, excluding rules in effect upon the adoption of this chapter))~~.

(3) The code reviser may, in his discretion, omit from the register or the compilation, rules, the publication of which would be unduly cumbersome, expensive, or otherwise inexpedient, if such rules are made available in printed or processed form on application to the adopting agency, and if such register or compilation contains a notice stating the general subject matter of the rules so omitted and stating how copies thereof may be obtained.

(4) The code reviser may edit and revise rules for publication, codification, and compilation, without changing the meaning of any such rule, in accordance with the provisions of RCW 34.04.052.

(5) When a rule, in whole or in part, is declared invalid and unconstitutional by a court of final appeal, the adopting agency shall give notice to that effect in the register. With the consent of the attorney general, the code reviser may remove obsolete rules or parts of rules from the Washington Administrative Code when:

(a) The rules are declared unconstitutional by a court of final appeal; or

(b) The adopting agency ceases to exist and the rules are not transferred by statute to a successor agency.

(6) Registers and compilations shall be made available, in written form to (a) state elected officials whose offices are created by Article II or III of the state Constitution or by RCW 48.02.010, upon request, (b) to the secretary of the senate and the chief clerk of the house for committee use, as required, but not to exceed the number of standing committees in each body, (c) to county boards of law library trustees(;) and to the Olympia representatives of the Associated Press and the United Press International without request, free of charge, and (d) to other persons at a price fixed by the code reviser.

(7) The board of law library trustees of each county shall keep and maintain a complete and current set of registers and compilations for use and inspection as provided in RCW 27.24.060.

(8) Judicial notice shall be taken of rules filed and published as provided in RCW 34.04.040 and this section.

NEW SECTION. Sec. 8. Section 4, chapter 136, Laws of 1907, section 2, chapter 27, Laws of 1933, section 2, chapter 31, Laws of 1933 ex. sess., section 3, chapter 6, Laws of 1969, section 2, chapter 162, Laws of 1981 and RCW 44.20.040 are each hereby repealed.

Signed by: Senators Metcalf and Lee; Representatives Williams and Monohon.

MOTION

Senator Newhouse moved the report of the Conference Committee be adopted and the committee be granted the powers of Free Conference on Senate Bill No. 4717.

MOTION

On motion of Senator Clarke, the motion by Senator Newhouse, together with the House Message and the Conference Report on Senate Bill No. 4717 was ordered held for consideration on March 31, 1982.

MOTION

Senator Newhouse moved that House Bill No. 933 be referred from the second reading calendar to the Committee on Financial Institutions and Insurance.

Debate ensued.

The motion by Senator Newhouse carried.

House Bill No. 933 was referred to the Committee on Financial Institutions and Insurance.

MOTION

At 4:07 p.m., on motion of Senator Clarke, the Senate adjourned until 9:00 a.m., Wednesday, March 31, 1982.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWENTIETH DAY

MORNING SESSION

Senate Chamber, Olympia, Wednesday, March 31, 1982.

The Senate was called to order at 9:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Talley. There being no objection, Senator Talley was excused.

The Color Guard, consisting of Pages Teresa Villa and Scott Staab, presented the Colors. Reverend Charles Loyer, former pastor of Westminster Presbyterian Church of Olympia, offered the prayer.

Reverend Loyer is now retired.

MOTION

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

SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE SENATE BILL NO. 3946,

SUBSTITUTE SENATE BILL NO. 4675,

SENATE BILL NO. 4748.

MOTIONS

On motion of Senator Clarke, the Senate advanced to the eighth order of business.

On motion of Senator Clarke, the Committee on Ways and Means was relieved from further consideration of the following Senate Bills: 4688, 4399, 4400, 4401, 4402, 4585, 4371, 4387, 4930 and 4498.

On motion of Senator Clarke, the rules were suspended and the Senate bills were placed on the second reading calendar.

PERSONAL PRIVILEGE

Senator Haley: "Thank you, Mr. President. The members of this body will be pleased by some good news — but there is also some bad news.

"The good news is that McNeil Island now has a herd of cattle to occupy the beautiful, somewhere around eleven hundred acres of fine farmland, and to put the very much up-to-date dairy facilities to work and to put many prisoners to work. This, we hope, is the first of very extensive farm programs to be held and taken care of at McNeil Island. And we hope we'll put many prisoners to work and be living in the area where the government formerly had the people working on the farm there, and that those quarters will be renewed. And we should be congratulating the department of corrections and Mr. Amos Reed for doing this and also the fact that they are in the process of building prison industries there at McNeil, that we'll be taking over the former prison industries that were existing when the Feds had it.

"But the bad news is that there are still about 1200 prisoners in our system that have absolutely no productive work for them to do, and also that there are still only about 300 prisoners who are at work in our prison industries' program. And we hope

cross our fingers that we don't have any more violence and rioting going on that kills and injures people and destroys millions of dollars worth of state property. And I personally feel it is a shame that we've been so busy this short 60-day session and now the special session, but fiscal matters that we have not had time to consider the bill which is residing in social and health services committee that would allow our prison industries to sell the products that are made in the open market. You know they do not have the authority to do that; and I hope that the next session, this body will consider that issue and hopefully allow prison industries to provide products to be sold at large.

"Thank you for the opportunity to speak on this motion of personal privilege."

MOTION

At 9:20 a.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 10:11 a.m.

MOTION

At 10:12 a.m., on motion of Senator Clarke, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

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

MOTION

On motion of Senator Clarke, the Senate returned to the first order of business.

REPORT OF STANDING COMMITTEE

March 26, 1982.

SENATE BILL NO. 5006, relating to legislative salaries (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 5006 be substituted therefor, and the substitute bill do pass.

Signed by: Senators Scott, Chairman; Bauer, Hayner, Jones, Lee, McDermott, Pullen, Wojahn, Zimmerman.

Passed to Committee on Rules for second reading.

MESSAGES FROM THE HOUSE

March 31, 1982.

Mr. President: The Speaker has signed: SENATE CONCURRENT RESOLUTION NO. 143, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

March 31, 1982.

Mr. President: The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 3946,

SUBSTITUTE SENATE BILL NO. 4675,

SENATE BILL NO. 4748, and the same are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

The Senate resumed consideration of the following House Message which was read in the Senate on March 30, 1982. At that time Senator Newhouse moved the report be adopted. On motion of Senator Clarke, further consideration of the Message and the motion by Senator Newhouse was held for March 31, 1982.

MESSAGE FROM THE HOUSE

March 31, 1982.

Mr. President: The House has adopted the report of the Conference Committee on SENATE BILL NO. 4717 and has granted said committee the powers of Free Conference and the report of the Conference Committee is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

March 26, 1982.

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred, SENATE BILL NO. 4717, as amended by the House, giving free copies of state statutes and rules to legislative committees, have had the same under consideration, and we report that we cannot agree and request powers of Free Conference in order to recommend the following:

AN ACT Relating to state publications; amending section 4, chapter 150, Laws of 1941 as last amended by section 1, chapter 162, Laws of 1981 and RCW 40.04.040; amending section 5, chapter 150, Laws of 1941 as last amended by section 13, chapter 87, Laws of 1980 and RCW 40.04.090; amending section 3, chapter 136, Laws of 1907 as last amended by section 2, chapter 6, Laws of 1969 and RCW 44.20.030; amending section 5, chapter 136, Laws of 1907 as last amended by section 4, chapter 6, Laws of 1969 and RCW 44.20.050; amending section 10, chapter 257, Laws of 1953 and RCW 1.08.060; amending section 5, chapter 234, Laws of 1959 as last amended by section 12, chapter 186, Laws of 1980 and RCW 34.04.050; adding a new section to chapter 40.04 RCW; and repealing section 4, chapter 136, Laws of 1907, section 2, chapter 27, Laws of 1933, section 2, chapter 31, Laws of 1933 ex. sess., section 3, chapter 6, Laws of 1969, section 2, chapter 162, Laws of 1981 and RCW 44.20.040.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 4, chapter 150, Laws of 1941 as last amended by section 1, chapter 162, Laws of 1981 and RCW 40.04.040 are each amended to read as follows:

Permanent session laws shall be distributed, sold, and/or exchanged by the state law librarian as follows:

(1) Copies shall be given as follows: One to each United States senator and representative in congress from this state; (~~six~~) two to the Library of Congress; (~~one to each United States executive department as defined by section 1, title 5, of the United States Code; three~~) one to the United States supreme court library; three to the library of the circuit court of appeals of the ninth circuit; (~~one~~) two to each United States district court room within this state; (~~one~~) two to each office and branch office of the United States district attorneys in this state; one to each state official whose office is created by the Constitution; (~~one to the judge advocate's office at Fort Lewis; one to each member of the legislature, session law indexer;~~) two each to the president of the senate, secretary (~~and assistant secretary~~) of the senate, speaker of the house of representatives, and chief clerk (~~and the assistant chief clerk~~) of the house of representatives (~~the minute clerk and sergeant-at-arms of the two branches of the legislature of the sessions of which they~~

~~occupied the offices and positions mentioned; one copy each to the Olympia representatives of the Associated Press and the United Press)) and such additional copies as they may request; fourteen copies to the code reviser; two copies to the state library; two copies to the law library of the University of Puget Sound law school; two copies to the law library of Gonzaga University law school; ((and)) two copies to the law libraries of any accredited law schools as are hereafter established in this state; one copy to each state adult correctional institution; and one copy to each state mental institution.~~

(2) Copies, for official use only, shall be distributed as follows: ~~((One to each state department and to each division thereof; one to each state official whose office is created by the Constitution, except))~~ Two copies to the governor ~~((who shall receive three copies)); one each to the ((adjutant general, the)) state historical society(;) and the state bar association(,; and to each state institution; one copy for each assistant attorney general who maintains his office in the attorney general's suite, and one additional copy for his stenographer's room));~~ and one copy to each prosecuting attorney ~~((and one for each of his deputies)).~~

Sufficient copies shall be furnished for the use of the supreme court, the court of appeals, the superior courts, and the state law library as from time to time are needed. Eight copies shall be distributed to the University of Washington law library; one copy each to the offices of the president and the board of regents of the University of Washington, the dean of the University of Washington school of law, and to the University of Washington library; one copy to the library of each of the regional universities and to The Evergreen State College; one copy ~~((each))~~ to the president of the Washington State University and four copies to the Washington State University library. Six copies shall be sent to the King county law library, and one copy to each of the county law libraries organized pursuant to law ~~((in the counties of the first, second, and third class));~~ one copy to each public library in cities of the first class, and one copy to the municipal reference branch of the Seattle public library.

~~((At the convening of each session of the legislature the state law librarian shall deliver to the chief clerk of the house of representatives twenty copies, and to the secretary of the senate, ten copies, of the laws of the preceding general session and of any intervening session for the use of the legislators during the ensuing session but which shall be returned to the state law library at the expiration of the legislative session.~~

~~It shall be the duty of each county auditor biennially to submit to the state law librarian a list of county officers, including the prosecuting attorney and his regular full-time deputies and the justices of the peace and superior court rooms regularly used by a justice of the peace or superior court judge, and the correct number of bound copies of the session laws necessary for the official use only of such officers and court rooms will be sent, transportation collect, to said county auditor who shall be responsible for the distribution thereof to the county officials entitled to receive them.))~~

(3) Surplus copies of the session laws shall be sold and delivered by the state law librarian, in which case the price of the bound volumes shall be twenty dollars each. All moneys received from the sale of such bound volumes of session laws shall be paid into the state treasury for the general fund.

(4) The state law librarian is authorized to exchange bound copies of the session laws for similar laws or legal materials of other states, territories, and governments, and to make such other and further distribution of the bound volumes as in his judgment seems proper.

Sec. 2. Section 5, chapter 150, Laws of 1941 as last amended by section 13, chapter 87, Laws of 1980 and RCW 40.04.090 are each amended to read as follows:

The house and senate journals shall be distributed and/or sold by the state law librarian as follows:

(1) Sets shall be distributed as follows: One set to each (~~member of the legislature;~~) secretary and assistant secretary of the senate, chief clerk and assistant to the chief clerk of the house of representatives, and to each minute clerk and sergent-at-arms of the two branches of the legislature of which they occupy the offices and positions mentioned. One to each official whose office is created by the Constitution, and one to each state department director; three copies to the University of Washington law library; two copies to the University of Washington library; one to the King county law library; one to the Washington State University library; one to the library of each of the regional universities and to The Evergreen State College; one to the law library of Gonzaga University law school; one to the law library of the University of Puget Sound law school; one to the law libraries of any accredited law school as hereafter established in this state; and one to each free public library in the state which requests it.

(2) (~~A set of the~~) House and senate journals of the preceding regular session during an odd- or even-numbered year, and of any intervening special session, shall be (placed on the desk of each legislator for his use during the ensuing session, which shall be returned to the state law library at the expiration of the legislative session) provided for use of legislators in such numbers as directed by the chief clerk of the house of representatives and secretary of the senate; and sufficient sets shall be retained for the use of the state law library.

(3) Surplus sets of the house and senate journals shall be sold and delivered by the state law librarian, in which case the price shall be (~~fifteen~~) thirty-five dollars plus postage for those of the regular sessions during an odd- or even-numbered year, and (~~ten dollars~~) at a price determined by the state printer to cover the costs of paper, printing, binding and postage for those of the special sessions, when separately bound, and the proceeds therefrom shall be paid to the state treasurer for the general fund.

(4) The state law librarian is authorized to exchange copies of the house and senate journals for similar journals of other states, territories, and/or governments, or for other legal materials, and to make such other and further distribution of them as in his judgment seems proper.

Sec. 3. Section 3, chapter 136, Laws of 1907 as last amended by section 2, chapter 6, Laws of 1969 and RCW 44.20.030 are each amended to read as follows:

The statute law committee, after each and every legislative session, whether regular or extraordinary, shall cause to be reproduced or printed for temporary use (~~four thousand copies~~) separate copies of each act filed in the office of secretary of state within ten days after the filing thereof(~~, and in the order of its chapter number~~).

The committee shall cause to be reproduced or printed three thousand copies or such additional number as may be necessary of temporary bound sets of all acts filed in the office of secretary of state within seventy-five days after the final adjournment of the legislature for that year.

Sec. 4. Section 5, chapter 136, Laws of 1907 as last amended by section 4, chapter 6, Laws of 1969 and RCW 44.20.050 are each amended to read as follows:

When all of the acts of any session of the legislature and initiative measures enacted by the people since the next preceding session have been certified to the statute law committee, the code reviser employed by the statute law committee shall make the proper headings and index of such acts or laws and, after such work has been completed, the statute law committee shall have published and bound in good buckram at least (~~two thousand~~) six hundred copies or such additional copies as may be necessary of such acts and laws, with such headings and indexes, and such other matter as may be deemed essential, including a title page showing the session

at which such acts were passed, the date of convening and adjournment of the session, and any other matter deemed proper, including a certificate by the secretary of state of such referendum measures as may have been enacted by the people since the next preceding session.

NEW SECTION. Sec. 5. There is added to chapter 40.04 RCW a new section to read as follows:

The statute law committee, after each legislative session, shall furnish one temporary bound copy of each act as published under chapter 44.20 RCW to each member of the legislature at which such law was enacted, and to each state department or division thereof, commission, committee, board, and council, and to community colleges. Thirty-five copies shall be furnished to the senate and fifty copies to the house of representatives or such other number as may be requested. Two copies shall be furnished the administrator for the courts. One copy shall be furnished for each assistant attorney general; and one copy each to the Olympia representatives of the Associated Press and the United Press.

Each county auditor shall submit each year to the statute law committee a list of county officials requiring temporary session laws for official use only, and the auditor shall receive and distribute such copies to the county officials.

There shall be a charge of five dollars for each of the complete sets of such temporary publications when delivered to any person, firm, corporation, or institution excepting the persons and institutions named in this section. All moneys received from the sale of such temporary sets shall be transmitted to the state treasurer who shall deposit the same in the state treasury to the credit of the general fund.

Sec. 6. Section 10, chapter 257, Laws of 1953 and RCW 1.08.060 are each amended to read as follows:

The committee may loan sets of the code and materials supplemental thereto

(1) for the use of senate committees, (~~fifteen~~) a quantity as required by advice from the secretary of the senate, not to exceed twenty-five sets;

(2) for use of the house committees, (~~twenty~~) a quantity as required by advice from the chief clerk of the house, not to exceed thirty-five sets;

(3) to the state law library for library use;

(4) for use of the reviser's office, as required;

(5) for use of recognized news reporting services maintaining permanent offices at the capitol, three sets.

The committee may exchange copies of RCW for codes or compilations of other states.

Sec. 7. Section 5, chapter 234, Laws of 1959 as last amended by section 12, chapter 186, Laws of 1980 and RCW 34.04.050 are each amended to read as follows:

(1) The code reviser shall, as soon as practicable after (~~the effective date of this chapter~~) March 23, 1960, compile and index all rules adopted by each agency and remaining in effect. Compilations shall be supplemented or revised as often as necessary and at least once every two years.

(2) The code reviser shall publish a register in which he shall set forth the text of all rules filed during the appropriate register publication period(~~(, excluding rules in effect upon the adoption of this chapter)~~).

(3) The code reviser may, in his discretion, omit from the register or the compilation, rules, the publication of which would be unduly cumbersome, expensive, or otherwise inexpedient, if such rules are made available in printed or processed form on application to the adopting agency, and if such register or compilation contains a notice stating the general subject matter of the rules so omitted and stating how copies thereof may be obtained.

(4) The code reviser may edit and revise rules for publication, codification, and compilation, without changing the meaning of any such rule, in accordance with the provisions of RCW 34.04.052.

(5) When a rule, in whole or in part, is declared invalid and unconstitutional by a court of final appeal, the adopting agency shall give notice to that effect in the register. With the consent of the attorney general, the code reviser may remove obsolete rules or parts of rules from the Washington Administrative Code when:

(a) The rules are declared unconstitutional by a court of final appeal; or

(b) The adopting agency ceases to exist and the rules are not transferred by statute to a successor agency.

(6) Registers and compilations shall be made available, in written form to (a) state elected officials whose offices are created by Article II or III of the state Constitution or by RCW 48.02.010, upon request, (b) to the secretary of the senate and the chief clerk of the house for committee use, as required, but not to exceed the number of standing committees in each body, (c) to county boards of law library trustees(;) and to the Olympia representatives of the Associated Press and the United Press International without request, free of charge, and (d) to other persons at a price fixed by the code reviser.

(7) The board of law library trustees of each county shall keep and maintain a complete and current set of registers and compilations for use and inspection as provided in RCW 27.24.060.

(8) Judicial notice shall be taken of rules filed and published as provided in RCW 34.04.040 and this section.

NEW SECTION. Sec. 8. Section 4, chapter 136, Laws of 1907, section 2, chapter 27, Laws of 1933, section 2, chapter 31, Laws of 1933 ex. sess., section 3, chapter 6, Laws of 1969, section 2, chapter 162, Laws of 1981 and RCW 44.20.040 are each hereby repealed.

Signed by: Senators Metcalf and Lee; Representatives Williams and Monohon.

On March 30, 1982, the report was read. Senator Newhouse moved, at that time, the conference report be adopted. On motion of Senator Clarke, the report and motion were ordered held for consideration on March 31, 1982.

MOTION

On motion of Senator Lee, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference on Senate Bill No. 4717.

MESSAGE FROM THE HOUSE

March 25, 1982.

Mr. President: The House has passed: ENGROSSED SUBSTITUTE SENATE BILL NO. 3783 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 84.41.030, chapter 15, Laws of 1961 as amended by section 6, chapter 288, Laws of 1971 ex. sess. and RCW 84.41.030 are each amended to read as follows:

Each county assessor shall maintain an active and systematic program of revaluation on a continuous basis, and shall establish a revaluation schedule which will result in revaluation of all taxable real property within the county at least once each four years and physical inspection of all taxable real property within the county at least once each six years.

Sec. 2. Section 2, chapter 131, Laws of 1974 ex. sess. as amended by section 9, chapter 214, Laws of 1979 ex. sess. and RCW 84.41.041 are each amended to read as follows:

Each county assessor shall cause taxable real property to be physically inspected and valued at least once every ~~((four))~~ six years in accordance with RCW 84.41.030, and in accordance with a plan filed with and approved by the department of revenue. Such revaluation plan shall provide that a reasonable portion of all taxable real property within a county shall be revalued and these newly-determined values placed on the assessment rolls each year. If the revaluation plan provides for physical inspection at least once each four years, during the intervals between each physical inspection of real property, the valuation of such property may be adjusted to its current true and fair value, such adjustments to be based upon appropriate statistical data. If the revaluation plan provides for physical inspection less frequently than once each four years, during the intervals between each physical inspection of real property, the valuation of such property shall be adjusted to its current true and fair value, such adjustments to be made once each year and to be based upon appropriate statistical data.

The assessor may require property owners to submit pertinent data respecting taxable property in their control including data respecting any sale or purchase of said property within the past five years, the cost and characteristics of any improvement on the property and other facts necessary for appraisal of the property.

Sec. 3. Section 84.41.090, chapter 15, Laws of 1961 as amended by section 200, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.41.090 are each amended to read as follows:

The department of revenue shall by rule establish appropriate statistical methods for use by assessors in adjusting the valuation of property between physical inspections. The department of revenue shall make and publish such additional rules, regulations and guides which it determines are needed to supplement materials presently published by the department of revenue for the general guidance and assistance of county assessors. Each assessor is hereby directed and required to value property in accordance with the standards established by RCW 84.40.030 and in accordance with the applicable rules, regulations and valuation manuals published by the department of revenue.

Sec. 4. Section 36.21.080, chapter 4, Laws of 1963 as last amended by section 3, chapter 274, Laws of 1981 and RCW 36.21.080 are each amended to read as follows:

(1) The county assessor is authorized to place any property under the provisions of RCW 36.21.040 through 36.21.080 on the assessment rolls for the purposes of tax levy up to ~~((May 31st))~~ August 31st of each year. The assessed valuation of property under the provisions of RCW 36.21.040 through 36.21.080 shall be considered as of ~~((the April 30th immediately preceding the date that the property is placed on the assessment rolls))~~ July 31st of that year.

(2) If, on or before December 31 in any calendar year, any real or personal property placed upon the assessment roll of that year is destroyed in whole or in part, or is in an area that has been declared a disaster area by the governor and has been reduced in value by more than twenty percent as a result of a natural disaster, the true cash value of such property shall be reduced for that year by an amount determined as follows, without necessity of taxpayer application under chapter 84.70 RCW:

(a) First take the true cash value of such taxable property before destruction or reduction in value and deduct therefrom the true cash value of the remaining property after destruction or reduction in value.

(b) Then divide any amount remaining by twelve and multiply the quotient by the number of months or major fraction thereof remaining after the date of the destruction or reduction in value of the property.

Sec. 5. Section 84.40.040, chapter 15, Laws of 1961 as last amended by section 97, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.40.040 are each amended to read as follows:

The assessor shall begin the preliminary work for each assessment not later than the first day of December of each year in all counties in the state. He shall also complete the duties of listing and placing valuations on all property by May 31st of each year, except that the listing and valuation of construction under RCW 36.21-.040 through 36.21.080 shall be completed by August 31st of each year, and in the following manner, to wit:

He shall actually determine as nearly as practicable the true and fair value of each tract or lot of land listed for taxation and of each improvement located thereon and shall enter one hundred percent of the value of such land and of the total value of such improvements, together with the total of such one hundred percent valuations, opposite each description of property on his assessment list and tax roll.

He shall make an alphabetical list of the names of all persons in his county liable to assessment of personal property, and require each person to make a correct list and statement of such property according to the standard form prescribed by the department of revenue, which statement and list shall include, if required by the form, the year of acquisition and total original cost of personal property in each category of the prescribed form, and shall be signed and verified under penalty of perjury by the person listing the property. Such list and statement shall be filed on or before the last day of March, but the assessor, upon written request filed on or before such date and for good cause shown therein, shall allow a reasonable extension of time for filing. The assessor shall on or before the 1st day of January of each year mail a notice to all such persons at their last known address that such statement and list is required, such notice to be accompanied by the form on which the statement or list is to be made: PROVIDED, That the notice mailed by the assessor to each taxpayer each year shall, if practicable, include the statement and list of personal property of the taxpayer for the preceding year. Upon receipt of such statement and list the assessor shall thereupon determine the true and fair value of the property included in such statement and enter one hundred percent of the same in the assessment books opposite the name of the party assessed; and in making such entry in his assessment list, he shall give the name and post office address of the party listing the property, and if the party resides in a city the assessor shall give the street and number or other brief description of his residence or place of business. The assessor may, after giving written notice of his action to the person to be assessed, add to the assessment list any taxable property which, in his judgment, should be included in such list.

Sec. 6. Section 42, chapter 26, Laws of 1967 ex. sess. as amended by section 2, chapter 284, Laws of 1977 ex. sess. and RCW 82.03.130 are each amended to read as follows:

The board shall have jurisdiction to decide the following types of appeals:

- (1) Appeals taken pursuant to RCW 82.03.190.
- (2) Appeals from a county board of equalization pursuant to RCW 84.08.130.
- (3) Appeals by an assessor or landowner from an order of the director of revenue made pursuant to RCW 84.08.010 and 84.08.060, the right to such an appeal being hereby established.
- (4) Appeals by an assessor or owner of an intercounty public utility or private car company from determinations by the director of revenue of equalized assessed valuation of property and the apportionment thereof to a county made pursuant to chapter 84.12 RCW and 84.16 RCW, the right to such appeal being hereby established.
- (5) Appeals by an assessor, landowner, or owner of an intercounty public utility or private car company from a determination of any county indicated ratio for such

county compiled by the department of revenue pursuant to RCW 84.48.075: PROVIDED, That

(a) Said appeal be filed after review of the ratio (~~by the assessor with the department of revenue and upon or before August 11th~~) under RCW 84.48.075(3) and not later than fifteen days after the date of certification as required by RCW 84.48.075; and

(b) The hearing before the board shall be expeditiously held in accordance with rules prescribed by the board and shall take precedence over all matters of the same character.

Sec. 7. Section 3, chapter 284, Laws of 1977 ex. sess. and RCW 84.48.075 are each amended to read as follows:

(1) The department of revenue shall annually, prior to the first Monday in August, determine ~~((the))~~ and submit to each assessor a preliminary indicated ratio for each county: PROVIDED, That the department shall establish rules and regulations pertinent to the determination of the indicated ratio, the indicated real property ratio and the indicated personal property ratio: PROVIDED FURTHER, That these rules and regulations may provide that data, as is necessary for said determination, which is available from the county assessor of any county and which has been audited as to its validity by the department, ~~((may))~~ shall be utilized by the department in determining the indicated ratio.

(2) To such extent as is reasonable, the department may define use classes of property for the purposes of determination of the indicated ratio. Such use classes may be defined with respect to property use and may include agricultural, open space, timber and forest lands.

(3) The department shall review each county's preliminary ratio with the assessor, a landowner, or an owner of an intercounty public utility or private car company of that county, if requested by the assessor, a landowner, or an owner of an intercounty public utility or private car company of that county, respectively, between the first and third Mondays of August. Prior to equalization of assessments pursuant to RCW 84.48.080(~~(, but no later than August 1st, the department shall submit its findings or preliminary findings to each of the county assessors allowing a reasonable time for review by the assessor)~~) and after the third Monday of August, the department shall certify to each county assessor the real and personal property ratio for that county.

(4) The department of revenue shall also examine procedures used by the assessor to assess real and personal property in the county, including calculations, use of prescribed value schedules, and efforts to locate all taxable property in the county. If any examination by the department discloses other than market value is being listed on the county assessment rolls of the county by the assessor and, after due notification by the department, is not corrected, the department of revenue shall, in accordance with rules adopted by the department, adjust the ratio of that type of property, which adjustment shall be used for determining the county's indicated ratio.

Sec. 8. Section 43, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.140 are each amended to read as follows:

In all appeals over which the board has jurisdiction under RCW 82.03.130, a party taking an appeal may elect either a formal or an informal hearing, such election to be made according to rules of practice and procedure to be promulgated by the board: PROVIDED, HOWEVER, That nothing herein shall be construed to modify the provisions of RCW 82.03.190: AND PROVIDED FURTHER, That upon an appeal under RCW 82.03.130(5), the director of revenue may, within ten days from the date of its receipt of the notice of appeal, file with the clerk of the board notice of its intention that the hearing be held pursuant to chapter 34.04

RCW. In the event that appeals are taken from the same decision, order, or determination, as the case may be, by different parties and only one of such parties elects a formal hearing, a formal hearing shall be granted.

Sec. 9. Section 47, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.180 are each amended to read as follows:

Judicial review of a decision of the board of tax appeals shall be de novo in accordance with the provisions of RCW 82.32.180 or 84.68.020 as applicable except when the decision has been rendered pursuant to a formal hearing elected under RCW 82.03.140 or 82.03.190, in which event judicial review may be obtained only pursuant to RCW 34.04.130 and 34.04.140: PROVIDED, HOWEVER, That nothing herein shall be construed to modify the rights of a taxpayer conferred by RCW 82.32.180 and 84.68.020 to sue for tax refunds: AND PROVIDED FURTHER, That no review from a decision made pursuant to RCW 82.03.130(1) may be obtained by a taxpayer unless within the petition period provided by RCW 34.04.130 the taxpayer shall have first paid in full the contested tax, together with all penalties and interest thereon, if any. The director of revenue shall have the same right of review from a decision made pursuant to RCW 82.03.130(1) as does a taxpayer; and the director of revenue and all parties to an appeal under RCW 82.03.130(5) shall have the right of review from a decision made pursuant to RCW 82.03.130(5).

NEW SECTION. Sec. 10. There is added to chapter 84.40 RCW a new section to read as follows:

For the purpose of assessment and valuation of all taxable property in each county, any real or personal property in each county shall be subject to visitation, investigation, examination, discovery, and listing at any reasonable time by the county assessor of the county or by any employee thereof designated for this purpose by the assessor.

In any case of refusal to such access, the assessor shall request assistance from the department of revenue which may invoke the power granted by chapter 84.08 RCW.

NEW SECTION. Sec. 11. Sections 1 through 5 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."

On page 1, on line 1 of the title, after "property;" strike the remainder of the title and insert "amending section 84.41.030, chapter 15, Laws of 1961 as amended by section 6, chapter 288, Laws of 1971 ex. sess. and RCW 84.41.030; amending section 2, chapter 131, Laws of 1974 ex. sess. as amended by section 9, chapter 214, Laws of 1979 ex. sess. and RCW 84.41.041; amending section 84.41.090, chapter 15, Laws of 1961 as amended by section 200, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.41.090; amending section 36.21.080, chapter 4, Laws of 1963 as last amended by section 3, chapter 274, Laws of 1981 and RCW 36.21.080; amending section 84.40.040, chapter 15, Laws of 1961 as last amended by section 97, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.40.040; amending section 42, chapter 26, Laws of 1967 ex. sess. as amended by section 2, chapter 284, Laws of 1977 ex. sess. and RCW 82.03.130; amending section 3, chapter 284, Laws of 1977 ex. sess. and RCW 84.48.075; amending section 43, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.140; amending section 47, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.180; adding a new section to chapter 84.40 RCW; and declaring an emergency.", and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Scott, the Senate refused to concur in the House amendments to Engrossed Substitute Senate Bill No. 3783 and asks the House to recede therefrom.

MOTION

At 1:40 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 2:50 p.m.

MOTION

On motion of Senator Hayner, the Senate returned to the first order of business.

REPORT OF STANDING COMMITTEE

March 23, 1982.

SENATE BILL NO. 4265, relating to budget and accounting (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 4265 be substituted therefor, and the substitute bill do pass.

Signed by: Senators Scott, Chairman; Bluechel, Deccio, Haley, Hayner, Jones, Lee, Pullen, Zimmerman.

MINORITY recommendation: Do not pass.

Signed by: Senators Bauer, Fleming, Hughes, Ridder.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Hayner, the Senate commenced consideration of Substitute House Bill No. 1165.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1165, by House Committee on State Government (originally sponsored by House Committee on State Government and Representative Addison):

Modifying boards and commissions based on revised congressional districts.

The bill was read the second time by sections.

On motion of Senator Metcalf, the rules were suspended, Substitute House Bill No. 1165, 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 Substitute House Bill No. 1165, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould,

Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—47.

Absent or not voting: Senator Sellar—1.

Excused: Senator Talley—1.

SUBSTITUTE HOUSE BILL NO. 1165, having received the 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 Clarke, the Senate commenced consideration of Engrossed Substitute House Bill No. 1039.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1039, by House Committee on Appropriations—General Government (originally sponsored by Representatives Eberle and Sanders):

Removing authority of state liquor stores to sell beer and wine.

The bill was read the second time by sections.

Senator Metcalf moved adoption of the following amendment:

On page 1, line 13, strike all of "NEW SECTION. Sec. 2."

Debate ensued.

Senator Ridder demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senator Metcalf.

ROLL CALL

The Secretary called the roll and the amendment was adopted by the following vote: Yeas, 42; nays, 4; absent or not voting, 2; excused, 1.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Fleming, Gallagher, Gaspard, Goltz, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Rasmussen, Ridder, Scott, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—42.

Voting nay: Senators Fuller, Gould, Jones, Quigg—4.

Absent or not voting: Senators Deccio, Sellar—2.

Excused: Senator Talley—1.

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

On page 1, line 8, after "revenue" strike "losses"

MOTION

Senator Rasmussen moved that Substitute House Bill No. 1165, as amended by the Senate, be referred to the Committee on Rules.

Debate ensued.

The motion by Senator Rasmussen failed on a rising vote.

POINT OF INQUIRY

Senator Fleming: "Senator Hayner, if this bill should happen to fall by the wayside and Senator Quigg draw up a resolution, would that be one of them that we could consider tomorrow to get this study on its way?"

Senator Hayner: "Yes."

Senator Fleming: "Okay, thank you."

On motion of Senator Metcalf, the following amendment to the title was adopted:

On page 1, line 1 of the title, following "stores;" insert "and" and following "section" strike "; and making an appropriation"

On motion of Senator Metcalf, the rules were suspended, Engrossed Substitute House Bill No. 1039, 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 von Reichbauer: "Mr. President and members of the Senate. Contrary to what Senator Clarke said, your emphases are difficult to understand. When you said, Senator Rasmussen, the district you were in, you were going to vote against it, was that your council district or your Senate district, because I get confused what hat you wear sometimes on this floor?"

Senator Rasmussen: "When I am speaking on the Senate floor, Senator von Reichbauer, I presume you asked me a question? — I am speaking as a Senator. I am speaking as a Senator. I am very proud that I have visible means of support. I am working at both jobs and I have never apologized to any one of my constituents in either job, for the job I do for them. I hope everybody else can say the same thing. And my face is not red when I say it. I have a visible means of support, in fact, I could support myself without either job."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1039, as amended by the Senate, and the bill failed to pass the Senate by the following vote: Yeas, 16; nays, 30; absent or not voting, 2; excused, 1.

Voting yea: Senators Benitz, Bluechel, Craswell, Fuller, Gallagher, Haley, Hansen, Hayner, Jones, McCaslin, Moore, Newhouse, Patterson, Peterson, Quigg, von Reichbauer—16.

Voting nay: Senators Bauer, Bottiger, Charnley, Clarke, Conner, Fleming, Gaspard, Goltz, Gould, Guess, Hemstad, Hughes, Hurley, Kiskaddon, Lee, Lysen, McDermott, Metcalf, Pullen, Rasmussen, Ridder, Scott, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody, Zimmerman—30.

Absent or not voting: Senators Deccio, Sellar—2.

Excused: Senator Talley—1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1039, as amended by the Senate, having failed to receive the constitutional majority, was declared lost.

MOTION

On motion of Senator Clarke, the Senate commenced consideration of Senate Concurrent Resolution No. 147.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 147, by Senators Gould, Vognild, McCaslin, Jones and Ridder:

Establishing a task force to plan investment of state funds.

REPORT OF STANDING COMMITTEE

March 17, 1982.

SENATE CONCURRENT RESOLUTION NO. 147, establishing a task force to plan investment of state funds (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 26, after "Washington" insert:

": PROVIDED: That any alternative which is recommended shall be accompanied by evidence of the alternative's risk and return on investment compared to the existing investments in the state's portfolio."

Signed by: Senators Bauer, Craswell, Deccio, Fleming, Gaspard, Haley, Hughes, Jones, Lee, Ridder, Wojahn, Zimmerman.

The resolution was read the second time in full.

On motion of Senator Gould the committee amendment was adopted.

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

On page 3, line 2, strike subsection (7).

On motion of Senator Goltz, the following amendments were adopted:

On page 2, line 15, strike "and"

On page 2, line 17, after "representative" insert "; and The Lieutenant Governor"

On motion of Senator Gould, the rules were suspended, Engrossed Senate Concurrent Resolution No. 147 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

POINT OF INQUIRY

Senator Bluechel: "Senator Gould, as chairman of the state environmental policy commission, we have utilized citizens' technical advisory committees to good effect. They receive no reimbursement or per diem or expenses. Can such technical advisory committees be used by the public investment task force?"

Senator Gould: "Yes, Senator Bluechel, they can be; although that is not stipulated in the bill it is a very appropriate way, I think, and one in which I would recommend to the task force that they get as much information, technical information as they can from all facets of the public and it would be wise to go into them."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 147, and the resolution passed the Senate by the following vote: Yeas, 47; nays, 1; excused, 1.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Sellar, Shipoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—47.

Voting nay: Senator Clarke—1.

Excused: Senator Talley—1.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 147, having received the constitutional majority, was declared passed.

MOTION

At 3:44 p.m., on motion of Senator Clarke, the Senate recessed until 8:30 p.m.

ANNOUNCEMENT BY PRESIDENT

At 4:30 p.m., the President announced that the Senate would be adjourned until 9:00 a.m., Thursday, April 1, 1982.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-FIRST DAY

MORNING SESSION

Senate Chamber, Olympia, Thursday, April 1, 1982.

The Senate was called to order at 9:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Lysen and Talley. There being no objection, Senator Talley was excused.

The Color Guard, consisting of Page Mothers Bettye Eccher and Nole Ann Ulery-Horsey, presented the Colors. Reverend Lester G. Olson, pastor of Trinity Lutheran Church of Olympia, offered the prayer.

MOTION

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

MESSAGES FROM THE GOVERNOR

Office of the Governor, March 31, 1982.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.
LADIES AND GENTLEMEN:

I have the honor to advise you that on March 31, 1982 Governor Spellman approved the following Senate Bills entitled:

SENATE BILL NO. 3297: Relating to insurance.

SUBSTITUTE SENATE BILL NO. 3361: Relating to port districts.

SENATE BILL NO. 3847: Relating to the organized militia.

SUBSTITUTE SENATE BILL NO. 3927: Relating to railroad crossing protective devices.

SUBSTITUTE SENATE BILL NO. 4115: Relating to international banking and commerce.

SENATE BILL NO. 4488: Relating to local improvement districts.

SENATE BILL NO. 4619: Relating to veterans.

SUBSTITUTE SENATE BILL NO. 4200: Relating to public works.

SENATE BILL NO. 4749: Relating to eligibility to vote and hold office.

SENATE BILL NO. 4691: Relating to technical correction in the law of the comparative fault and contribution among tort feasers.

SUBSTITUTE SENATE BILL NO. 4826: Relating to law enforcement vehicles.

SUBSTITUTE SENATE BILL NO. 4852: Relating to irrigation districts.

SENATE BILL NO. 4952: Relating to the authority of a metropolitan corporation to charter an electric streetcar on rails within a city.

SENATE BILL NO. 4905: Relating to special purpose districts.

SENATE BILL NO. 4602: Relating to street lighting systems.

SENATE BILL NO. 4551: Relating to the state commission on equipment.

SUBSTITUTE SENATE BILL NO. 4697: Relating to payroll deductions for public employees for individual retirement accounts.

SENATE BILL NO. 4909: Relating to solid waste management.

SENATE BILL NO. 4947: Relating to industrial insurance.

Sincerely,
 MARILYN SHOWALTER
 Counsel to the Governor.

Office of the Governor, March 31, 1982.

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

LADIES AND GENTLEMEN:

I have the honor to advise you that on March 31, 1982 Governor Spellman approved the following Senate Bills entitled:

SUBSTITUTE SENATE BILL NO. 4605: Relating to the department of revenue.

SENATE BILL NO. 3916: Relating to shoreline management.

SENATE BILL NO. 4492: Relating to traffic infraction penalties.

Sincerely,
 MARILYN SHOWALTER
 Counsel to the Governor.

MESSAGES FROM THE HOUSE

March 31, 1982.

Mr. President: The House has concurred in the Senate amendments to SUBSTITUTION HOUSE BILL NO. 808 and has passed the bill as amended by the Senate.

VITO T. CHIECHI, Chief Clerk.

March 31, 1982.

Mr. President: The Speaker has signed: SUBSTITUTION HOUSE BILL NO. 1165, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: SUBSTITUTION HOUSE BILL NO. 1165.

REPORT OF CONFERENCE COMMITTEE

April 1, 1982.

Mr. Speaker:
 Mr. President:

We, of your Conference Committee, to whom was referred HOUSE BILL 600, as amended by the Senate, making various changes in criminal laws have had the same under consideration, and we report that we cannot agree and request powers of Free Conference in order to recommend the following: That the Senate recede from its amendment to House Bill No. 600 and that the following language be adopted:

Strike everything after the enacting clause, and insert the following:

"Section 1. Section 1, chapter 175, Laws of 1969 ex. sess. as amended by section 1, chapter 258, Laws of 1981 and RCW 9.41.025 are each amended to read as follows:

Any person who shall commit or attempt to commit any felony, including but not limited to assault in the first degree, rape in the first degree, burglary in the first degree, robbery in the first degree, riot, or any other felony which includes as an element of the crime the fact that the accused was armed with a firearm, or any misdemeanor or gross misdemeanor categorized herein as inherently dangerous,

while armed with, or in the possession of any firearm, shall upon conviction, in addition to the penalty provided by statute for the crime committed without use or possession of a firearm, be imprisoned as herein provided:

(1) For the first offense the court shall impose a sentence of not less than five years, which sentence shall not be suspended or deferred;

(2) For a second offense, or if, in the case of a first conviction of violation of any provision of this section, the offender shall previously have been convicted of violation of the laws of the United States or of any other state, territory, or district relating to the use or possession of a firearm while committing or attempting to commit a crime, the offender shall be imprisoned for not less than seven and one-half years, which sentence shall not be suspended or deferred;

(3) For a third or subsequent offense, or if the offender shall previously have been convicted two or more times in the aggregate of any violation of the law of the United States or of any other state, territory, or district relating to the use or possession of a firearm while committing or attempting to commit a crime, the offender shall be imprisoned for not less than fifteen years, which sentence shall not be suspended or deferred;

(4) Misdemeanors or gross misdemeanors categorized as "inherently dangerous" as the term is used in this statute means any of the following crimes or an attempt to commit any of the same: Simple assault, coercion, vehicle prowling, escape in the third degree, obstructing a public servant, theft in the third degree, resisting arrest, and communication with a minor for immoral purposes.

(5) If any person shall resist apprehension or arrest by firing upon a law enforcement officer, such person shall in addition to the penalty provided by statute for resisting arrest, be guilty of a felony and punished by imprisonment for not less than ten years, which sentence shall not be suspended or deferred.

Sec. 2. Section 1, chapter 64, Laws of 1933 and RCW 9.41.190 are each amended to read as follows:

~~((That))~~ It ~~((shall be))~~ is unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or have in possession~~((;))~~ or under control, any machine gun, or any part thereof capable of use or assembling or repairing any machine gun: PROVIDED, HOWEVER, That such limitation shall not apply to any peace officer in the discharge of official duty, or to any officer or member of the armed forces of the United States or the state of Washington: PROVIDED FURTHER, That this section does not apply to a person, including an employee of such person, who or which is exempt from or licensed under the National Firearms Act (26 U.S.C. section 5801 et seq.), and engaged in the production, manufacture, or testing of weapons or equipment to be used or purchased by the armed forces of the United States, and having a United States government industrial security clearance.

Sec. 3. Section 5, chapter 172, Laws of 1935 as amended by section 4, chapter 124, Laws of 1961 and RCW 9.41.050 are each amended to read as follows:

~~((No person shall carry a pistol in any vehicle unless it is unloaded or carry a pistol concealed on his person, except in his place of abode or fixed place of business, without a license therefor as hereinafter provided))~~ (1) Except in the person's place of abode or fixed place of business, a person shall not carry a pistol concealed on his or her person without a license to carry a concealed weapon.

(2) A person who is in possession of an unloaded pistol shall not leave the unloaded pistol in a vehicle unless the unloaded pistol is locked within the vehicle and concealed from view from outside the vehicle.

(3) A person shall not carry or place a loaded pistol in any vehicle unless the person has a license to carry a concealed weapon and: (a) The pistol is on the licensee's person, (b) the licensee is within the vehicle at all times that the pistol is there, or (c) the licensee is away from the vehicle and the pistol is locked within the vehicle and concealed from view from outside the vehicle.

NEW SECTION. Sec. 4. There is added to chapter 9.41 RCW a new section to read as follows:

(1) It is unlawful for an elementary or secondary school student under the age of twenty-one knowingly to carry onto public or private elementary or secondary school premises:

(a) Any firearm; or

(b) Any dangerous weapon as defined in RCW 9.41.250; or

(c) Any device commonly known as "nun-chu-ka sticks", consisting of two or more lengths of wood, metal, plastic, or similar substance connected with wire, rope, or other means; or

(d) Any device, commonly known as "throwing stars", which are multi-pointed, metal objects designed to embed upon impact from any aspect.

(2) Any such student violating subsection (1) of this section is guilty of a gross misdemeanor.

(3) Subsection (1) of this section does not apply to:

(a) Any student of a private military academy; or

(b) Any student engaged in military activities, sponsored by the federal or state governments while engaged in official duties; or

(c) Any student who is attending a convention or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed; or

(d) Any student who possesses nun-chu-ka sticks, throwing stars, or other dangerous weapons to be used in martial arts classes conducted on the school premises.

Sec. 5. Section 13, chapter 249, Laws of 1909 and RCW 9.92.010 are each amended to read as follows:

Every person convicted of a felony for which no punishment is specially prescribed by any statutory provision in force at the time of conviction and sentence, shall be punished by ~~((imprisonment in the state penitentiary for not more than))~~ confinement or fine which shall not exceed confinement in a state correctional institution for a term of ten years, or by a fine in an amount fixed by the court of not more than ((five)) twenty thousand dollars, or by both such confinement and fine.

Sec. 6. Section 15, chapter 249, Laws of 1909 and RCW 9.92.020 are each amended to read as follows:

Every person convicted of a gross misdemeanor for which no punishment is prescribed in any statute in force at the time of conviction and sentence, shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than one year, or by a fine in an amount fixed by the court of not more than ((one)) five thousand dollars, or by both such imprisonment and fine.

Sec. 7. Section 785, Code of 1881 as amended by section 14, chapter 249, Laws of 1909 and RCW 9.92.030 are each amended to read as follows:

Every person convicted of a misdemeanor for which no punishment is prescribed by any statute in force at the time of conviction and sentence, shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than ((two hundred and fifty)) one thousand dollars or both such imprisonment and fine.

Sec. 8. Section 1, chapter 24, Laws of 1905 as last amended by section 4, chapter 8, Laws of 1982 1st ex. sess. and RCW 9.92.060 are each amended to read as follows:

Whenever any person shall be convicted of any crime except murder, burglary in the first degree, arson in the first degree, robbery, carnal knowledge of a female child under the age of ten years, or rape, the court may in its discretion, at the time

of imposing sentence upon such person, direct that such sentence be stayed and suspended until otherwise ordered by such court, and that the sentenced person be placed under the charge of a parole or peace officer during the term of such suspension, upon such terms as the court may determine: PROVIDED, That as a condition to suspension of sentence, the court shall require the payment of the penalty assessment required by RCW 7.68.035: PROVIDED FURTHER, That as a condition to suspension of sentence, the court may require the convicted person to make such monetary payments, on such terms as the court deems appropriate under the circumstances, as are necessary (1) to comply with any order of the court for the payment of family support, (2) to make restitution to any person or persons who may have suffered loss or damage by reason of the commission of the crime in question or when the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement, ((and)) (3) to pay any fine imposed and not suspended and the court or other costs incurred in the prosecution of the case, including reimbursement of the state for costs of extradition if return to this state by extradition was required, and (4) to contribute to a county or interlocal drug fund. In no case shall a sentence be suspended under the provisions of this section unless the person if sentenced to confinement in a penal institution be placed under the charge of a parole officer, who is a duly appointed and acting officer of the institution to which the person is sentenced: PROVIDED, That persons convicted in justice court may be placed under supervision of a probation officer employed for that purpose by the board of county commissioners of the county wherein the court is located. If restitution to the victim has been ordered under subsection (2) of this section, the officer supervising the probationer shall make a reasonable effort to ascertain whether restitution has been made as ordered. If restitution has not been made, the officer shall inform the prosecutor of that violation of the terms of the suspended sentence not less than three months prior to the termination of the suspended sentence.

Sec. 9. Section 2, chapter 188, Laws of 1971 ex. sess. and RCW 9.92.064 are each amended to read as follows:

In the case of a person granted a suspended sentence under the provisions of RCW 9.92.060, the court shall establish a definite termination date for the suspended sentence. The court shall set a date no later than the time the original sentence would have elapsed and may provide for an earlier termination of the suspended sentence. Prior to the entry of an order formally terminating a suspended sentence the court may modify the terms and conditions of the suspension or extend the period of the suspended sentence.

Sec. 10. Section 1, chapter 19, Laws of 1980 as last amended by section 5, chapter 8, Laws of 1982 1st ex. sess. and RCW 9.95.210 are each amended to read as follows:

The court in granting probation, may suspend the imposing or the execution of the sentence and may direct that such suspension may continue for such period of time, not exceeding the maximum term of sentence, except as hereinafter set forth and upon such terms and conditions as it shall determine.

The court in the order granting probation and as a condition thereof, may in its discretion imprison the defendant in the county jail for a period not exceeding one year or may fine the defendant any sum not exceeding one thousand dollars plus the costs of the action, and may in connection with such probation impose both imprisonment in the county jail and fine and court costs. As a condition of probation, the court shall require the payment of the penalty assessment required by RCW 7.68.035. The court may also require the defendant to make such monetary payments, on such terms as it deems appropriate under the circumstances, as are necessary (1) to comply with any order of the court for the payment of family support, (2) to

make restitution to any person or persons who may have suffered loss or damage by reason of the commission of the crime in question or when the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement, (3) to pay such fine as may be imposed and court costs, including reimbursement of the state for costs of extradition if return to this state by extradition was required, and (4) to contribute to a county or interlocal drug fund, and may require bonds for the faithful observance of any and all conditions imposed in the probation. The court shall order the probationer to report to the secretary of corrections or such officer as the secretary may designate and as a condition of said probation to follow implicitly the instructions of the secretary. If the probationer has been ordered to make restitution, the officer supervising the probationer shall make a reasonable effort to ascertain whether restitution has been made. If restitution has not been made as ordered, the officer shall inform the prosecutor of that violation of the terms of probation not less than three months prior to the termination of the probation period. The secretary of corrections will promulgate rules and regulations for the conduct of such person during the term of his probation: PROVIDED, That for defendants found guilty in justice court, like functions as the secretary performs in regard to probation may be performed by probation officers employed for that purpose by the ~~((board of))~~ county ~~((commissioners))~~ legislative authority of the county wherein the court is located.

Sec. 11. Section 6, chapter 227, Laws of 1957 and RCW 9.95.230 are each amended to read as follows:

The court shall have authority at any time ~~((during the course of))~~ prior to the entry of an order terminating probation to (1) revoke, modify, or change its order of suspension of imposition or execution of sentence; (2) it may at any time, when the ends of justice will be subserved thereby, and when the reformation of the probationer shall warrant it, terminate the period of probation, and discharge the person so held.

Sec. 12. Section 9A.20.030, chapter 260, Laws of 1975 1st ex. sess. as amended by section 3, chapter 29, Laws of 1979 and RCW 9A.20.030 are each amended to read as follows:

(1) If a person has gained money or property or caused a victim to lose money or property through the commission of a crime, upon conviction thereof or when the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement, the court, in lieu of imposing the fine authorized for the offense under RCW 9A.20.020, may order the defendant to pay an amount, fixed by the court, not to exceed double the amount of the defendant's gain or victim's loss from the commission of a crime. Such amount may be used to provide restitution to the victim at the order of the court. It shall be the duty of the prosecuting attorney to investigate the alternative of restitution, and to recommend it to the court, when the prosecuting attorney believes that restitution is appropriate and feasible. If the court orders restitution, the court shall make a finding as to the amount of the defendant's gain or victim's loss from the crime, and if the record does not contain sufficient evidence to support such finding the court may conduct a hearing upon the issue. For purposes of this section, the terms "gain" or "loss" refer to the amount of money or the value of property or services gained or lost.

(2) Notwithstanding any other provision of law, this section also applies to any corporation or joint stock association found guilty of any crime.

NEW SECTION. Sec. 13. There is added to chapter 9A.52 RCW a new section to read as follows:

(1) A person is guilty of vehicle prowling in the first degree if, with intent to commit a crime against a person or property therein, he enters or remains unlawfully in a motor home, as defined in RCW 46.04.305, or in a vessel equipped for propulsion by mechanical means or by sail which has a cabin equipped with permanently installed sleeping quarters or cooking facilities.

(2) Vehicle prowling in the first degree is a class C felony.

Sec. 14. Section 9A.52.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.100 are each amended to read as follows:

(1) A person is guilty of vehicle prowling in the second degree if, with intent to commit a crime against a person or property therein, he enters or remains unlawfully in a vehicle other than a motor home, as defined in RCW 46.04.305, or a vessel equipped for propulsion by mechanical means or by sail which has a cabin equipped with permanently installed sleeping quarters or cooking facilities.

(2) Vehicle prowling in the second degree is a gross misdemeanor.

Sec. 15. Section 9A.56.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.56.040 are each amended to read as follows:

(1) A person is guilty of theft in the second degree if he commits theft of:

(a) Property or services which exceed(s) two hundred and fifty dollars in value, but does not exceed one thousand five hundred dollars in value; or

(b) A public record, writing, or instrument kept, filed, or deposited according to law with or in the keeping of any public office or public servant; or

(c) A credit card; or

(d) A motor vehicle, of a value less than one thousand five hundred dollars; or

(e) A firearm, of a value less than one thousand five hundred dollars.

(2) Theft in the second degree is a class C felony.

Sec. 16. Section 9A.72.090, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.090 are each amended to read as follows:

(1) A person is guilty of bribing a witness if he offers, confers, or agrees to confer any benefit upon a witness or a person he has reason to believe is about to be called as a witness in any official proceeding or upon a person whom he has reason to believe may have information relevant to a criminal investigation, with intent to:

(a) Influence the testimony of that person; or

(b) Induce that person to avoid legal process summoning him to testify; or

(c) Induce that person to absent himself from an official proceeding to which he has been legally summoned.

(2) Bribing a witness is a class B felony.

Sec. 17. Section 9A.72.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.100 are each amended to read as follows:

(1) A witness or a person who has reason to believe he is about to be called as a witness in any official proceeding or that he may have information relevant to a criminal investigation is guilty of bribe receiving by a witness if he requests, accepts, or agrees to accept any benefit pursuant to an agreement or understanding that:

(a) His testimony will thereby be influenced; or

(b) He will attempt to avoid legal process summoning him to testify; or

(c) He will attempt to absent himself from an official proceeding to which he has been legally summoned.

(2) Bribe receiving by a witness is a class B felony.

Sec. 18. Section 9A.72.110, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.110 are each amended to read as follows:

(1) A person is guilty of intimidating a witness if, by use of a threat directed to a witness or a person he has reason to believe is about to be called as a witness in any official proceeding or to a person whom he has reason to believe may have information relevant to a criminal investigation, he attempts to:

(a) Influence the testimony of that person; or

(b) Induce that person to elude legal process summoning him to testify; or

(c) Induce that person to absent himself from such proceedings.

(2) "Threat" as used in this section means

(a) to communicate, directly or indirectly, the intent immediately to use force against any person who is present at the time; or

(b) threats as defined in RCW 9A.04.110(25).

(3) Intimidating a witness is a class B felony.

Sec. 19. Section 9A.72.120, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.120 are each amended to read as follows:

(1) A person is guilty of tampering with a witness if he attempts to induce a witness or person he has reason to believe is about to be called as a witness in any official proceeding or a person whom he has reason to believe may have information relevant to a criminal investigation to:

(a) Testify falsely or, without right or privilege to do so, to withhold any testimony; or

(b) Absent himself from such proceedings.

(2) Tampering with a witness is a class C felony.

Sec. 20. Section 9A.76.050, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.050 are each amended to read as follows:

As used in RCW 9A.76.070, 9A.76.080, and 9A.76.090, a person "renders criminal assistance" if, with intent to prevent, hinder, or delay the apprehension or prosecution of another person who he knows has committed a crime or juvenile offense or is being sought by law enforcement officials for the commission of a crime or juvenile offense or has escaped from a detention facility, he:

(1) Harbors or conceals such person; or

(2) Warns such person of impending discovery or apprehension; or

(3) Provides such person with money, transportation, disguise, or other means of avoiding discovery or apprehension; or

(4) Prevents or obstructs, by use of force, deception, or threat; anyone from performing an act that might aid in the discovery or apprehension of such person; or

(5) Conceals, alters, or destroys any physical evidence that might aid in the discovery or apprehension of such person; or

(6) Provides such person with a weapon.

Sec. 21. Section 9A.76.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.070 are each amended to read as follows:

(1) A person is guilty of rendering criminal assistance in the first degree if he renders criminal assistance to a person who has committed or is being sought for murder in the first degree or any class A felony or equivalent juvenile offense.

(2) Rendering criminal assistance in the first degree is:

(a) A gross misdemeanor if it is established by a preponderance of the evidence that the actor is a relative as defined in RCW 9A.76.060;

(b) A class C felony in all other cases.

Sec. 22. Section 9A.76.080, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.080 are each amended to read as follows:

(1) A person is guilty of rendering criminal assistance in the second degree if he renders criminal assistance to a person who has committed or is being sought for a class B or class C felony or an equivalent juvenile offense or to someone being sought for violation of parole, probation, or community supervision.

(2) Rendering criminal assistance in the second degree is:

(a) A misdemeanor if it is established by a preponderance of the evidence that the actor is a relative as defined in RCW 9A.76.060;

(b) A gross misdemeanor in all other cases.

Sec. 23. Section 9A.76.110, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.110 are each amended to read as follows:

(1) A person is guilty of escape in the first degree if, being detained pursuant to a conviction of a felony or an equivalent juvenile offense, he escapes from custody or a detention facility.

(2) Escape in the first degree is a class B felony.

Sec. 24. Section 9A.76.120, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.120 are each amended to read as follows:

(1) A person is guilty of escape in the second degree if:

(a) He escapes from a detention facility; or

(b) Having been charged with a felony or an equivalent juvenile offense, he escapes from custody.

(2) Escape in the second degree is a class C felony.

Sec. 25. Section 1, chapter 75, Laws of 1979 ex. sess. and RCW 46.61.024 are each amended to read as follows:

Any driver of a motor vehicle who wilfully fails or refuses to immediately bring his vehicle to a stop and who drives his vehicle in a manner indicating a wanton (~~and~~) or wilful disregard for the lives or property of others while attempting to elude a pursuing police vehicle, after being given a visual or audible signal to bring the vehicle to a stop, shall be guilty of a class C felony. The signal given by the police officer may be by hand, voice, emergency light, or siren. The officer giving such a signal shall be in uniform and his vehicle shall be appropriately marked showing it to be an official police vehicle.

Sec. 26. Section 1, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.010 are each amended to read as follows:

Upon arraignment in a court of limited jurisdiction a person charged with a misdemeanor or gross misdemeanor may petition the court to be considered for a deferred prosecution program. A person charged with a traffic infraction, misdemeanor, or gross misdemeanor under Title 46 RCW shall not be eligible for a deferred prosecution program unless the court makes specific findings pursuant to RCW 10.05.020. Such person shall not be eligible for a deferred prosecution program more than once in any five-year period.

Sec. 27. Section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 6, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.515 are each amended to read as follows:

(1) Every person who is convicted of a violation of RCW 46.61.502 or 46.61.504 shall be punished by imprisonment for not less than (~~one day~~) twenty-four consecutive hours nor more than one year, and by a fine of not more than five hundred dollars. The person shall, in addition, be required to complete a course at an alcohol information school approved by the department of social and health services. (~~One day~~) If, after completing an alcohol evaluation at the alcohol information school, the convicted person is found to have a serious alcohol problem, the alcohol information school may recommend more intensive alcoholism treatment in a program approved by the department of social and health services. In the alternative, the court may bypass alcohol information school if the court determines that more intensive alcoholism treatment in a program approved by the department of social and health services is appropriate. Standards for approval shall be prescribed by rule under the administrative procedure act, chapter 34.04 RCW. The courts shall periodically review the costs of alcohol information schools and treatment programs within their jurisdictions. Twenty-four consecutive hours of the jail sentence shall not be suspended or deferred unless the judge finds that the imposition of the jail sentence will pose a risk to the defendant's physical or mental well-being. Whenever the mandatory jail sentence is suspended or deferred, the judge must state, in writing, the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. The court may impose conditions of probation that

may include nonrepetition, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate.

(2) ~~On a second or subsequent conviction ((under RCW 46.61.502 or 46.61.504))~~ for driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs within a five year period a person shall be punished by imprisonment for not less than seven days nor more than one year and by a fine not more than one thousand dollars. The jail sentence shall not be suspended or deferred unless the judge finds that the imposition of the jail sentence will pose a risk to the defendant's physical or mental well-being. Whenever the mandatory jail sentence is suspended or deferred, the judge must state, in writing, the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. If such person at the time of a second or subsequent conviction is without a license or permit because of a previous suspension or revocation, the minimum mandatory sentence shall be ninety days in jail and a two hundred dollar fine. The penalty so imposed shall not be suspended or deferred. The person shall, in addition, be required to complete diagnostic evaluation at an alcoholism program approved by the department of social and health services or other diagnostic evaluation as the court designates. If the person is found to have an alcohol or drug problem requiring treatment, the person shall complete treatment at an approved alcoholism treatment facility or approved drug treatment center.

In addition to any nonsuspendable and nondeferrable jail sentence required by this subsection, the court shall sentence a person to a term of imprisonment not exceeding one hundred eighty days and shall suspend but shall not defer the sentence for a period not exceeding two years. The suspension of the sentence may be conditioned upon nonrepetition, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of suspension during the suspension period.

(3) There shall be levied and paid into the highway safety fund of the state treasury a penalty assessment in the minimum amount of twenty-five percent of, and which shall be in addition to, any fine, bail forfeiture, or costs on all offenses involving a violation of any state statute or city or county ordinance relating to driving a motor vehicle while under the influence of intoxicating liquor or being in actual physical control of a motor vehicle while under the influence of intoxicating liquor: PROVIDED, That all funds derived from such penalty assessment shall be in addition to and exclusive of assessments made under RCW 46.81.030 and shall be for the exclusive use of the department for driver services programs and for a state-wide alcohol safety action program, or other similar programs designed primarily for the rehabilitation or control of traffic offenders. Such penalty assessment shall be included in any bail schedule and shall be included by the court in any pronouncement of sentence.

(4) Notwithstanding the provisions contained in chapters 3.16, 3.46, 3.50, 3.62, or 35.20 RCW, or any other section of law, the penalty assessment provided for in subsection (3) of this section shall not be suspended, waived, modified, or deferred in any respect, and all moneys derived from such penalty assessments shall be forwarded to the highway safety fund to be used exclusively for the purposes set forth in subsection (3) of this section.

(5) The license or permit to drive or any nonresident privilege of any person convicted of ~~((either of the offenses named in RCW 46.61.502 or 46.61.504))~~ driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs shall:

(a) On the first conviction under either such offense, be suspended by the department for not less than thirty days: PROVIDED, That the court may recommend that no suspension action be taken. The treatment agency shall forward a copy of the completed diagnostic evaluation and treatment report to the department of

licensing before the department may reinstate the person's driver's license. The department of licensing shall determine the person's eligibility for licensing based upon these reports and shall deny reinstatement until enrollment and participation in an approved program has been established and the person is otherwise qualified;

(b) On a second conviction under either such offense within a five year period, be suspended by the department for not less than sixty days. The treatment agency shall forward a copy of the completed diagnostic evaluation and treatment report to the department of licensing before the department may reinstate the person's driver's license. The department of licensing shall determine the person's eligibility for licensing based upon these reports as provided in RCW 46.20.031 and shall deny reinstatement until satisfactory progress in an approved program has been established and the person is otherwise qualified;

(c) On a third or subsequent conviction under either such offense within a five year period, be revoked by the department.

(6) In any case provided for in this section, where a driver's license is to be revoked or suspended, such revocation or suspension shall be stayed and shall not take effect until after the determination of any appeal from the conviction which may lawfully be taken, but in case such conviction is sustained on appeal such revocation or suspension shall take effect as of the date that the conviction becomes effective for other purposes.

~~((7) The provisions of this section limiting the authority of a court to defer or suspend a sentence shall not take effect until January 1, 1980. The division of criminal justice, no later than December 31, 1980, shall submit a study to the house of representatives and to the senate which details the impact of the sentencing provisions established by this section. The impact study shall include, but shall not be limited to, the following information: The impact of the provisions upon county jail conditions and bed space, the cost impact of the provisions upon local and state governments, and the existence of alternative facilities to which individuals sentenced under this section may be committed:))~~

NEW SECTION. Sec. 28. Section 777, Code of 1881, section 63, chapter 249, Laws of 1909 and RCW 10.43.010 are each repealed.

Sec. 29. Section 9, chapter 8, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

((This act)) Chapter 8, Laws of 1982 1st ex. sess. is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except sections 2 ((through)), 3, and 6 of ((this act)) chapter 8, Laws of 1982 1st ex. sess. shall take effect on January 1, 1983.

Sec. 30. Section 1, chapter 5, Laws of 1973 as amended by section 13, chapter 61, Laws of 1979 and RCW 46.20.391 are each amended to read as follows:

(1) Any person licensed under this chapter who is convicted of an offense relating to motor vehicles for which suspension or revocation of the driver's license is mandatory, other than negligent homicide, may petition the court for a stay of the effect of the mandatory suspension or revocation for the purpose of submitting to the department an application for an occupational driver's license. Any person who is convicted or pleads guilty to a charge under RCW 46.61.502 and whose license has been revoked under RCW 46.20.308 may petition the court to stay the effect of the revocation for the purpose of submitting to the department an application for an occupational driver's license. The court upon determining the petitioner is engaged in an occupation or trade which makes it essential that the petitioner operate a motor vehicle may stay the effect of the mandatory suspension or revocation, notwithstanding RCW 46.20.270, for a period of not more than thirty days and may set definite restrictions as to hours of the day which may not exceed twelve hours in any

one day, days of the week, type of occupation, and areas or routes of travel permitted under the occupational driver's license.

(2) An applicant for an occupational driver's license is eligible to receive such license only if:

(a) Within one year immediately preceding the present conviction the applicant has not been convicted of any offense relating to motor vehicles for which suspension or revocation of a driver's license is mandatory; and

(b) The applicant is engaged in an occupation or trade which makes it essential that he or she operate a motor vehicle; and

(c) The applicant files satisfactory proof of financial responsibility pursuant to chapter 46.29 RCW.

(3) The department, upon receipt of an application and the prescribed fee, may issue an occupational driver's license to any person eligible under this section for a period of not more than one year which permits the operation of a motor vehicle only within the limits established by the court and only when the operation is essential to the licensee's occupation or trade.

(4) The director shall cancel an occupational driver's license upon receipt of notice that the holder thereof has been convicted of operating a motor vehicle in violation of its restrictions, or of an offense which pursuant to chapter 46.20 RCW would warrant suspension or revocation of a regular driver's license. Such cancellation shall be effective as of the date of such conviction, and shall continue with the same force and effect as any suspension or revocation under this title.

NEW SECTION. Sec. 31. 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. 32. Sections 29 and 30 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."

In line 1 of the title, after "crimes;" strike the remainder of the title, and insert "amending section 1, chapter 175, Laws of 1969 ex. sess. as amended by section 1, chapter 258, Laws of 1981 and RCW 9.41.025; adding a new section to chapter 9.41 RCW; amending section 1, chapter 64, Laws of 1933 and RCW 9.41.190; amending section 5, chapter 172, Laws of 1935 as amended by section 4, chapter 124, Laws of 1961 and RCW 9.41.050; amending section 13, chapter 249, Laws of 1909 and RCW 9.92.010; amending section 15, chapter 249, Laws of 1909 and RCW 9.92-.020; amending section 785, Code of 1881 as amended by section 14, chapter 249, Laws of 1909 and RCW 9.92.030; amending section 1, chapter 24, Laws of 1905 as last amended by section 4, chapter 8, Laws of 1982 1st ex. sess. and RCW 9.92.060; amending section 2, chapter 188, Laws of 1971 ex. sess. and RCW 9.92.064; amending section 1, chapter 19, Laws of 1980 as last amended by section 5, chapter 8, Laws of 1982 1st ex. sess. and RCW 9.95.210; amending section 6, chapter 227, Laws of 1957 and RCW 9.95.230; amending section 9A.20.030, chapter 260, Laws of 1975 1st ex. sess. as amended by section 3, chapter 29, Laws of 1979 and RCW 9A.20.030; amending section 9A.52.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.100; amending section 9A.56.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.56.040; amending section 9A.72.090, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.090; amending section 9A.72.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.100; amending section 9A.72.110, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.110; amending section 9A.72.120, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.120; amending section 9A.76.050, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.050; amending section 9A.76.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.070; amending section 9A.76.080, chapter 260, Laws of 1975 1st ex. sess. and RCW

9A.76.080; amending section 9A.76.110, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.110; amending section 9A.76.120, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.120; amending section 1, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.010; amending section 1, chapter 5, Laws of 1973 as amended by section 13, chapter 61, Laws of 1979 and RCW 46.20.391; amending section 1, chapter 75, Laws of 1979 ex. sess. and RCW 46.61.024; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 6, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.515; amending section 9, chapter 8, Laws of 1982 1st ex. sess. (uncodified); adding a new section to chapter 9A.52 RCW; repealing section 777, Code of 1881, section 63, chapter 249, Laws of 1909 and RCW 10.43.010; prescribing penalties; providing an effective date; and declaring an emergency."

Signed by: Senators Clarke, Hemstad and Talmadge; Representatives Ellis, Padden and Salatino.

MOTION

On motion of Senator Newhouse, the request by the Conference Committee for the powers of Free Conference on House Bill No. 600 was granted.

APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence in the Senate, Captain and Mrs. Philip Luther and appointed a committee of honor consisting of Senators Jones and Moore to escort the honored guests to the Senate rostrum.

MOTIONS

On motion of Senator Clarke, the Senate advanced to the eighth order of business.

On motion of Senator Moore, the rules were suspended and all members were permitted as additional sponsors to Senate Resolution 1982—217.

On motion of Senator Moore, the following resolution was unanimously adopted:

SENATE RESOLUTION 1982—217

By Senators Moore, Guess, Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Sellar, Shipoch, Talley, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, and Zimmerman:

WHEREAS, It has been the purpose and intent of the Washington State Pilotage Act to prevent the loss of human lives, the loss of property and vessels, and to protect the marine environment of the State of Washington through the requirement of having pilots experienced in the handling of vessels and knowledgeable concerning Washington's waters on board ships calling at ports in Puget Sound and Grays Harbor; and

WHEREAS, Requirements for receiving a state pilotage license are stringent, and only capable, experienced and knowledgeable mariners qualify to hold such credentials; and

WHEREAS, Provisions of law require the retirement of state pilots at age seventy, and Captain Philip H. Luther, holding Pilot License 42 must retire on May 1, 1982; and

WHEREAS, Captain Luther began his piloting livelihood immediately after Pearl Harbor as a pilot for Army and Navy transports to and from Alaska, and

continued as a Master of War Shipping Administration, for ships operated by the American Mail Lines in the Pacific, Atlantic and Mediterranean Theatres; and

WHEREAS, Captain Luther was awarded the Merchant Marine Distinguished Service Medal while in command of the troop ship CARL SHURZ for aiding in the rescue of the crew of the Army transport NORTHWIND in the Aleutian Islands; and

WHEREAS, Captain Luther received his Washington State Pilotage License and began his state piloting duties on February 6, 1945, continuing through his retirement on May 1, 1982 with a total of thirty-seven years, two months and twenty-four days as a state licensed pilot; and

WHEREAS, Captain Luther has the longest continuing service as a state pilot since 1863, has piloted over 7,465 vessels through Puget Sound and adjacent waters throughout his career, has served three terms as President, Puget Sound Pilots Association, and has served citizens of the state of Washington as a Member, Washington State Board of Pilotage Commissioners for three terms spanning eleven years; and

WHEREAS, It is in the longest tradition of the Washington State Senate to acknowledge stewardship, public service, and a "job well done";

NOW, THEREFORE, BE IT RESOLVED, By the Washington State Senate, its members and staff, That Captain Philip H. Luther be commended for his thirty-seven years of safeguarding human life, protecting property, vessels and the marine environment, in aiding the economy of Washington through assisting international trade by piloting vessels of the world calling on Washington's ports, and for his public service to the citizens of Washington as a Member of the Washington State Board of Pilotage Commissioners; and

BE IT FURTHER RESOLVED, That the Honorable Sid Snyder, Secretary of the Senate, is hereby directed to send a certified copy of this resolution to Captain Philip H. Luther as a gesture of the esteem in which Captain Luther is held and for appreciation of his career as a capable, competent and knowledgeable mariner.

With permission of the Senate, business was suspended to permit Captain Luther to address the Senate.

The committee of honor escorted the honored guests from the Senate Chamber and the committee was discharged.

MOTIONS

On motion of Senator Hayner, the rules were suspended and all members were permitted as additional sponsors to Senate Resolution 1982—187.

On motion of Senator Hayner, the following resolution was unanimously adopted:

SENATE RESOLUTION 1982—187

By Senators Hayner, Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Sellar, Shipoch, Talley, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody and Zimmerman:

WHEREAS, Dr. Eldon J. Dietrich has served as President of Walla Walla Community College since its establishment in 1967; and

WHEREAS, Under Dr. Dietrich's direction, Walla Walla Community College has grown in programs and facilities until today it annually serves some 6500 citizens of Walla Walla, Garfield, Columbia and Asotin Counties with vocational training, preparation for transfer to four-year institutions and continuing education as well as community service programs and events; and

WHEREAS, Dr. Dietrich has been a leader in instilling progressive methods of instruction and supervision; and

WHEREAS, Dr. Dietrich has contributed significantly to the provision of educational programs for inmate populations; and

WHEREAS, Dr. Dietrich was instrumental in organizing the community college athletic association and its guidelines for athletic recruiting; and

WHEREAS, Dr. Dietrich will retire from an outstanding career in higher education upon conclusion of the current academic year;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate expresses to Dr. Eldon J. Dietrich, President of Walla Walla Community College, its sincere appreciation for his countless contributions to community college education in the State of Washington and to the citizens it serves; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Secretary of the Senate to Dr. Eldon J. Dietrich and to the Board of Trustees of Walla Walla Community College.

MOTION

On motion of Senator Hurley, the following resolution was unanimously adopted:

SENATE RESOLUTION 1982—208

By Senator Hurley:

WHEREAS, Philip J. Raboin was a master theatre organist, who from 1925 to 1933 played in many of the well known silent movie theatres of the time; and

WHEREAS, Philip J. Raboin was the state organist, known by all visitors to the state capitol, and was a quiet, unassuming man, who provided pleasure and respite from daily cares with his music in the Rotunda of the State Capitol from 1945 until his retirement in 1980; and

WHEREAS, Philip J. Raboin was born on June 30, 1911 in Raboin, Minnesota and moved to Klickitat, Washington in 1921, and was a talented self-taught technician of skill and accomplishment, an organist and a printer; and

WHEREAS, He produced the first campaign brochure for Al Henry, who later became President Pro Tempore of the Senate, and in the 1945 session of the Legislature, newly elected Representative Henry and Lieutenant Governor Victor Meyers brought Phil to the Washington State Legislature to play the organ in the State Reception Room; and

WHEREAS, He was such a success, he became the only state organist in the nation, and he shared his talents and time with Presidents, Governors and people from all over the world; and

WHEREAS, Philip J. Raboin was a veteran of World War II, and during his lifetime was recognized in Time Magazine in an article "Thunder Under the Dome," and also from 1945 to 1952 he played the organ for the radio program "Out of the Night" broadcast from the Capitol Reception Room all over the United States and Radio Free Europe;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize and commemorate the many contributions Philip J. Raboin gave, not only to the people of the State of Washington, but to visitors from all over the world; and

BE IT FURTHER RESOLVED, That copies of this resolution be suitably inscribed by the Secretary of the Senate and sent to Philip J. Raboin's sister, Doris Larson, of Cass Lake, Minnesota, and his niece, Mary Alice Lewis, of Olympia.

MOTION

At 9:49 a.m., on motion of Senator Clarke, the Senate recessed subject to the Call of the President.

SECOND MORNING SESSION

The President called the Senate to order at 11:50 a.m.

MOTION

At 11:50 a.m., on motion of Senator Clarke, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

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

At 1:37 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 2:45 p.m.

MOTIONS

On motion of Senator Clarke, the Senate advanced to the sixth order of business.

On motion of Senator Clarke, the Senate commenced consideration of Senate Bill No. 4585.

SECOND READING

SENATE BILL NO. 4585, by Senator Bottiger:

Modifying public utility tax on state-wide natural gas companies.

The bill was read the second time by sections.

On motion of Senator Shipoch, the following amendments by Senators Shipoch and Bottiger were considered and adopted simultaneously:

On page 1, line 17, after "Three" and before "percent" insert "and six-tenths"

On page 1, line 17, after "percent" strike all of the underscored material down to and including "mountains" on line 19

On motion of Senator Bottiger, the rules were suspended, Engrossed Senate Bill No. 4585 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. 4585, and the bill passed the Senate by the Senate by the following vote: Yeas, 27; nays, 14; absent or not voting, 7; excused, 1.

Voting yea: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Fuller, Gaspard, Goltz, Gould, Haley, Hansen, Hemstad, Hughes, Lee, McDermott, Metcalf, Moore, Peterson, Quigg, Rasmussen, Ridder, Scott, Shipoch, Talmadge, Vognild, Wilson, Wojahn—27.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Hayner, Hurley, Jones, McCaslin, Newhouse, Patterson, Pullen, von Reichbauer, Zimmerman—14.

Absent or not voting: Senators Gallagher, Guess, Kiskaddon, Lysen, Sellar, Williams, Woody—7.

Excused: Senator Talley—1.

ENGROSSED SENATE BILL NO. 4585, having received the 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. 4688, by Senators Hurley, Zimmerman, Scott, Hansen, Bauer, Fleming and Shinpoch:

Imposing a watercraft excise tax.

The bill was read the second time by sections.

Senator Hurley moved adoption of the following amendment:

On page 1, line 1, strike everything and insert:

"AN ACT Relating to watercraft; adding a new chapter to title 82 RCW; adding a new section to chapter 84.36 RCW; adding a new chapter to Title 88 RCW; creating a new section; prescribing penalties; and providing an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. An excise tax is imposed for the privilege of using a vessel for which a registration fee is required under chapter 88. RCW (sections 6 through 13 of this act), except vessels covered by a dealer's registration number under this chapter. The annual amount of the excise tax is one percent of fair market value, as determined under this chapter.

The excise tax upon a vessel registered for the first time in this state shall be imposed only for the remaining months of the year, including the month in which the vessel is registered. A vessel is registered for the first time in this state when the vessel was not registered in this state for the immediately preceding year, or when the vessel was registered in another jurisdiction for the immediately preceding year.

NEW SECTION. Sec. 2. The excise tax imposed under this chapter is due and payable to the department of licensing or its agents at the time of registration of a vessel. The department of licensing shall not issue or renew a registration for a vessel until the tax is paid in full.

The excise tax collected under this chapter shall be deposited in the general fund.

NEW SECTION. Sec. 3. The department of revenue shall prepare at least once each year a schedule for use in the collection of the excise tax imposed by this chapter. The schedule shall be based upon information available to the department of revenue pertaining to the fair market value of vessels. The vessels may be classified into a convenient number of classes on the basis of purchase price, make, type, length, year of manufacture, year of purchase, or any other reasonable basis, and to the value of vessels within the classes as thus determined shall be applied the rate of tax. In determining fair market value, the department of revenue may use any guidebook, report, or compendium of recognized standing.

NEW SECTION. Sec. 4. Whenever a person applies for a registration for a vessel which does not appear upon the schedule, the applicant shall apply to the county assessor of the applicant's county for computation of the amount of excise tax due. Upon application, the assessor shall appraise the vessel at its fair market value from such guidebooks or listings or other information as the assessor may have available and ascertain the amount of excise tax by applying to such appraisal the rate of the tax under this chapter and thereupon the applicant shall be given a certificate showing the excise tax payable under this chapter.

NEW SECTION. Sec. 5. There is added to chapter 84.36 RCW a new section to read as follows:

All ships and vessels registered in the state under chapter 88. RCW (sections 6 through 13 of this 1982 act) and all vessels under sixteen feet in length or whose primary propulsion is human power are exempt from all ad valorem taxes beginning with 1982 assessments for taxes due and payable in 1983.

NEW SECTION. Sec. 6. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Vessel" means every watercraft used or capable of being used as a means of transportation on the water other than a seaplane.

(2) "Owner" means a person who has a lawful right of possession of a vessel by purchase, exchange, gift, lease, inheritance, or legal action whether or not the vessel is subject to a security interest.

(3) "Dealer" means a person, partnership, association, or corporation engaged in the business of selling vessels at wholesale or retail in this state.

(4) "Department" means the department of licensing.

NEW SECTION. Sec. 7. Except as provided in this chapter, no person may own or operate any vessel on the waters of this state unless the vessel has been registered and displays a registration number and a valid decal in accordance with this chapter.

NEW SECTION. Sec. 8. Vessel registration is required under this chapter except for the following:

(1) Vessels owned and operated by the United States, another state, or a political subdivision thereof;

(2) Vessels owned and operated by this state, or by any municipality or political subdivision thereof;

(3) Vessels owned by a resident of a country other than the United States or Canada if the vessel is not physically located upon the waters of this state for a period of more than sixty days;

(4) Vessels owned by a resident of another state or a Canadian province if the vessel is registered in accordance with the laws of the state or province in which the owner resides, but only to the extent that a similar exemption or privilege is granted under the laws of that state or province for vessels registered in this state: **PROVIDED,** That any vessel which is validly registered in another state or a Canadian province and which is physically located in this state for a period of more than sixty days is subject to registration under this chapter;

(5) Vessels used as a ship's tender or lifeboat;

(6) Vessels whose exclusive purpose is related to a commercial enterprise; and

(7) Vessels under sixteen feet in length or whose primary propulsion is human power.

NEW SECTION. Sec. 9. The department shall provide for the issuance of vessel registrations and may appoint agents for collecting fees and issuing registration numbers and decals. Fees for vessel registrations collected by the director shall be deposited in the general fund.

NEW SECTION. Sec. 10. Application for a vessel registration shall be made to the department or its authorized agent in the manner and upon forms prescribed by the department. The application shall state the name and address of each owner of the vessel, shall identify the manufacturer and model number of each motor used to propel the vessel, shall be signed by at least one owner, and shall be accompanied by a vessel registration fee and the excise tax imposed under chapter 82.____ RCW (sections 1 through 4 of this act). The fee shall be five dollars for each vessel.

Upon receipt of the application and the registration fee, the department shall assign a registration number and issue a decal for each vessel. The registration number and decal shall be affixed to the vessel in a manner prescribed by the department. A valid decal affixed as prescribed shall indicate compliance with the annual registration requirements of this chapter.

The vessel registrations and decals are valid for a period of one year. Vessel registrations are renewable every year in a manner prescribed by the department upon payment of the vessel registration fee and excise tax. Upon renewing a vessel registration, the department shall issue a new decal to be affixed as prescribed by the department.

A person acquiring a vessel already validly registered under this chapter shall, within fifteen days of the acquisition or purchase of the vessel, apply to the department or its authorized agent for transfer of the vessel registration, and the application shall be accompanied by a transfer fee of one dollar.

NEW SECTION. Sec. 11. (1) Each dealer of vessels in this state shall register with the department in the manner and upon forms prescribed by the department. Upon receipt of a dealer's application for registration and the registration fee provided for in subsection (2) of this section, the dealer shall be registered and a registration number assigned.

(2) The registration fee for dealers shall be twenty-five dollars per year, and the fee shall cover all vessels owned by the dealer for sale and not rented on a regular commercial basis by the dealer. Rented vessels shall be registered separately under sections 7 through 10 of this act.

(3) Dealer registration numbers are nontransferable.

(4) Section 7 of this act does not apply to any dealer or employee or prospective customer of the dealer with respect to any vessel covered by the dealer's registration number and used for a business purpose of the dealer, such as a demonstration vessel or for purposes of testing or making repairs.

NEW SECTION. Sec. 12. The department may adopt rules to implement this chapter. The rules shall be adopted in conformity with chapter 34.04 RCW as now or hereafter amended.

NEW SECTION. Sec. 13. (1) A violation of this chapter is a misdemeanor punishable only by a fine not to exceed two hundred fifty dollars per vessel.

(2) Moneys collected under this section shall be used by the jurisdiction collecting the fine exclusively for law enforcement purposes.

(3) All law enforcement officers shall have the authority to enforce this chapter within their respective jurisdictions.

NEW SECTION. Sec. 14. This act shall take effect July 1, 1982.

NEW SECTION. Sec. 15. Any personal property taxes levied on watercraft and paid in 1982 resulting from 1981 assessments shall be credited against the 1982 excise tax paid on watercraft as provided in this chapter.

NEW SECTION. Sec. 16. For fiscal year 1983 the state treasurer shall remit to the counties an amount equal to the amount of property tax collected for nonstate purposes in fiscal year 1982 pursuant to RCW 84.36.090.

NEW SECTION. Sec. 17. Sections 1 through 4 of this act shall constitute a new chapter in Title 82 RCW. Sections 6 through 13 of this act shall constitute a new chapter in Title 88 RCW.

NEW SECTION. Sec. 18. 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."

Senator Vognild moved adoption of the following amendment to the amendment by Senator Hurley:

On page 2, section 8, strike all of subsection (7)

Debate ensued.

The motion by Senator Vognild failed and the amendment to the amendment was not adopted.

The motion by Senator Hurley carried and the amendment was adopted.

POINT OF INQUIRY

Senator Rasmussen: "Senator Hurley, do I understand that under this bill a person will have to get a decal from the state license department or the department of revenue?"

Senator Hurley: "I think it is the license department."

Senator Rasmussen: "My second question is, at the present time that they have power on the boat, they have to get a Coast Guard number also. So you would have to have the state decal and then the Coast Guard number also. Is that correct?"

Senator Hurley: "Being a landlubber and I am just not sure about Coast Guard requirements, but I know their fee is extremely low, especially when you consider the value of some of the yachts and large boats.

"I think the \$250 fee is extremely reasonable also when you consider that for years and years and years no tax at all has been paid by these expensive pieces of equipment and I, of course, would prefer a higher rate but the 1% rate was agreed upon. I think they are coming off very, very easy."

Senator Rasmussen: "I just wondered, I have gotten along without a tax on my gold tooth for a long time, I would hate to have them catch up with me."

REMARKS BY SENATOR LEE

Senator Lee: "Mr. President, the question as to whether or not there would need to be two registration numbers, one issued by the U.S. Coast Guard and one with the state of Washington. My understanding, when we were looking at this bill a number of years ago, and by the way, it is one I have always supported . . . boat registration . . . and the state taking over that job is that when the state does have a registration plan in place it substitutes for the Coast Guard's registration of pleasure boats; and that is true in nearly all states except two or three and we are one of those very few states. The Coast Guard, in fact, has been after us for years to take over that kind of responsibility, and maybe this is one of the things that we can do to help along the new Federalism."

On motion of Senator Hurley, the rules were suspended, Engrossed Senate Bill No. 4688 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. 4688, and the bill failed to pass the Senate by the following vote: Yeas, 15; nays, 32; absent or not voting, 1; excused, 1.

Voting yea: Senators Conner, Fleming, Fuller, Gould, Hansen, Hurley, Lee, Lysen, Patterson, Ridder, Scott, Shinpoch, Williams, Wojahn, Zimmerman—15.

Voting nay: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Craswell, Deccio, Gallagher, Gaspard, Goltz, Guess, Haley, Hayner, Hemstad, Hughes, Jones, Kiskaddon, McCaslin, McDermott, Metcalf, Moore, Newhouse, Peterson, Pullen, Quigg, Rasmussen, Talmadge, Vognild, von Reichbauer, Wilson, Woody—32.

Absent or not voting: Senator Sellar—1.

Excused: Senator Talley—1.

ENGROSSED SENATE BILL NO. 4688, having failed to receive the constitutional majority, was declared lost.

SECOND READING

SENATE BILL NO. 4399, by Senator Shinpoch:

Relating to equalization of timber taxes on public and private property.

The bill was read the second time by sections.

Senator Shinpoch moved adoption of the following amendment:

On page 1, line 1, strike everything after the enacting clause and insert:

"Section 1. Section 3, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.030 are each amended to read as follows:

For purposes of this chapter:

(1) "Timber county" means any county within which timber is located.

(2) "Timber" means forest trees, standing or down, on privately or publicly owned land, and except as provided in RCW 84.33.170 includes Christmas trees.

Sec. 2. Section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 1, chapter 148, Laws of 1981 and RCW 84.33.071 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 imposed 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:

For timber harvested between October 1, 1974 and June 30, 1983, inclusive, six and one-half 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 or publicly 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) 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. Each year on or before December 31 for use the following January through June 30, and on or before June 30 for use the following July through December 31, 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, blow down, 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 ways and means committees of the house and senate 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 the sixtieth day after the date of final adoption of any stumpage value tables, 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 account A and a state timber tax reserve account in the state general fund and any interest earned on the investment of cash balances shall be deposited in these accounts. The revenues from the tax imposed by subsection (1) of this section shall be deposited in state timber tax account A and state timber tax reserve account as follows:

YEAR OF COLLECTION	ACCOUNT A	RESERVE ACCOUNT
1973 and thereafter	100%	0%

(6) 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 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.

(7) 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))~~ 82.32.045 shall not apply to the taxes imposed by this section.

(8) 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.

Sec. 3. Section 1, chapter 146, Laws of 1981 and RCW 84.33.073 are each amended to read as follows:

As used in RCW 84.33.073 and 84.33.074, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) "Small 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 in an amount not exceeding five hundred thousand board feet in a calendar quarter and not exceeding one million board feet in a calendar year. It does not include persons performing under contract the necessary labor or mechanical services for a harvester, and it does not include harvesters of forest products classified by the department of revenue as special forest products including Christmas trees, posts, shake boards and bolts, and shingle blocks.

(2) "Timber" means forest trees, standing or down, on privately or publicly owned land.

(3) "Harvesting and marketing costs" means only those costs directly associated with harvesting the timber from the land and delivering it to the buyer and may include the costs of disposing of logging residues but it does not include any

other costs which are not directly and exclusively related to harvesting and marketing of the timber such as costs of permanent roads or costs of reforesting the land following harvest."

On motion of Senator Shinpoch, the following amendment to the amendment by Senator Shinpoch was adopted:

On page 5, after line 20, insert:

"NEW SECTION. Sec. 4. This 1982 amendatory act shall not be construed to affect timber contracts in effect on the effective date of the act."

Debate ensued.

MOTION

On motion of Senator Ridder, Senator Hansen was excused.

The motion by Senator Shinpoch carried and the amendment, as amended, was adopted.

Senator Shinpoch moved adoption of the following amendment to the title:

"AN ACT Relating to equalization of timber taxes on public and private property; amending section 3, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.030; amending section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 1, chapter 148, Laws of 1981 and RCW 84.33.071; and amending section 1, chapter 146, Laws of 1981 and RCW 84.33.073."

On motion of Senator Shinpoch, the following amendment to the amendment to the title was adopted:

On page 1, line 6 of the title, strike "and" and on line 7, following "84.33.073" insert "; and creating a new section"

The motion by Senator Shinpoch carried and the amendment to the title as amended, was adopted.

On motion of Senator Shinpoch, the rules were suspended, Engrossed Senate Bill No. 4399 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. 4399, and the bill passed the Senate by the following vote: Yeas, 25; nays, 19; absent or not voting, 3; excused, 2.

Voting yea: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Fuller, Gaspard, Goltz, Haley, Hemstad, Hughes, Hurley, Kiskaddon, Lysen, McDermott, Moore, Peterson, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wojahn, Woody—25.

Voting nay: Senators Benitz, Clarke, Craswell, Deccio, Gallagher, Gould, Guess, Jones, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Wilson, Zimmerman—19.

Absent or not voting: Senators Bluechel, Hayner, Lee—3.

Excused: Senators Hansen, Talley—2.

ENGROSSED SENATE BILL NO. 4399, having received the 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. 4401, by Senators Shinpoch, Fleming and Williams: Relating to equalizing preferential business and occupation taxes.

The bill was read the second time by sections.

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

On page 1, line 4 strike everything after "Section 1." and insert:

"Section 2, chapter 37, Laws of 1980 and RCW 82.04.4281 is hereby repealed."

On motion of Senator Shinpoch, the following amendment to the title was adopted:

On page 1, line 2, after "taxes" insert "; and repealing section 2, chapter 37, Laws of 1980 and RCW 82.04.4281"

On motion of Senator Shinpoch, the rules were suspended, Engrossed Senate Bill No. 4401 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. 4401, and the bill failed to pass the Senate by the following vote: Yeas, 23; nays, 24; excused, 2.

Voting yea: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hughes, Hurley, Lysen, McDermott, Metcalf, Moore, Peterson, Rasmussen, Ridder, Shinpoch, Talmadge, Vognil, Williams, Wilson, Wojahn, Woody—23.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—24.

Excused: Senators Hansen, Talley—2.

ENGROSSED SENATE BILL NO. 4401, having failed to receive the constitutional majority, was declared lost.

SECOND READING

SENATE BILL NO. 4402, by Senators Shinpoch, Hansen and Goltz: Relating to termination of certain retail sales tax exemptions and deferrals. The bill was read the second time by sections.

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

On page 1, line 4, strike everything after the enacting clause and insert:

"Section 1. Section 16, chapter 117, Laws of 1972 ex. sess. and RCW 43.31A-.160 are each amended to read as follows:

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 on December 31st of the calendar year in which the construction project has been certified as operationally completed, (~~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:

REPAYMENT YEAR	PERCENT OF DEFERRED TAX REPAID
1	10%
2	15%
3	20%
4	25%
5	30%

If the construction project has been certified as operationally completed prior to the effective date of this 1982 amendatory act, then the manufacturing firm will

begin paying the deferred taxes on December 31, 1982 pursuant to the schedule provided in this section.

NEW SECTION. Sec. 2. The department of revenue shall amend any investment tax deferral certificates to conform with this 1982 amendatory act."

On motion of Senator Shinpoch, the rules were suspended, Engrossed Senate Bill No. 4402 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. 4402, and the bill passed the Senate by the following vote: Yeas, 32; nays, 14; absent or not voting, 1; excused, 2.

Voting yea: Senators Bottiger, Charnley, Conner, Craswell, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Haley, Hemstad, Hughes, Hurley, Kiskaddon, Lee, Lysen, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—32.

Voting nay: Senators Bauer, Benitz, Bluechel, Clarke, Guess, Hayner, Jones, McCaslin, Pullen, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—14.

Absent or not voting: Senator Deccio—1.

Excused: Senators Hansen, Talley—2.

ENGROSSED SENATE BILL NO. 4402, having received the 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 3:47 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 4:49 p.m.

SECOND READING

SENATE BILL NO. 4387, by Senators Charnley, Zimmerman, Williams and Bottiger:

Imposing a one percent gross income tax upon individuals.

The bill was read the second time by sections.

On motion of Senator Charnley, the following amendments were adopted:

On page 9, line 14, strike "January" and insert "July"

On page 9, line 22, after "sum of" insert "one hundred thousand"

Senators Clarke, Quigg and Newhouse 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 Talley who was previously excused.

MOTIONS

On motion of Senator Clarke, the Senate proceeded subject to roll call.

Senator McDermott moved adoption of the following amendment:

On page 2, lines 10 and 11, after "taxpayer" add "and corporations"

Senator Bottiger demanded a roll call and the demand was sustained.

Debate ensued.

POINT OF INQUIRY

Senator Hughes: "Senator Lee, I, too, am a little bit concerned that we are not addressing the problem of business and occupation tax. I assume that is what you were talking about. And I would be glad to support you if you wanted to offer an amendment to eliminate the business and occupation tax and to raise the corporate tax of 10% which would bring revenue to the state. Would you consider offering such an amendment? Could be an amendment to Senator McDermott's amendment."

Senator Lee: "This particular bill, I think that your idea is one that probably does deserve to be voted on here and in the House of Representatives, I have always supported the fact that taxes on businesses should be on their net income. It is not possible in this particular bill to put on that particular kind of amendment because this is on the gross."

Debate ensued.

POINT OF ORDER

Senator Pullen: "Mr. President, it would appear to me that the McDermott amendment is seriously defective. He is adding the word 'corporation' on page 2, line 10, and page 2 line 3; but on page 1, at the bottom of the page in subsection (5), it says 'Taxpayer means a natural person, an estate or a trust, but does not include partnerships, associations, or corporations.' So if this amendment is adopted we are including corporations in one place but leaving them excluded in another place."

MOTION

Senator Bottiger moved that Senate Bill No. 4387, as amended, together with the pending amendment by Senator McDermott, be held for consideration following the last measure on the calendar.

PARLIAMENTARY INQUIRY

Senator McCaslin: "Mr. President, if the amendment is defeated and the bill is technically correct, then we need not set it down. So until the amendment is adopted the bill is perfect. Is that correct?"

REPLY BY THE PRESIDENT

President Cherberg: "Senator, your remarks would make a very good argument but the President isn't in any position to determine whether the bill is perfect or not."

REMARKS BY SENATOR McCASLIN

Senator McCaslin: "I mean technically perfect, Mr. President."

REPLY BY THE PRESIDENT

President Cherberg: "The President did not hear you say 'technically,' Senator. The President is not in a position to determine if the bill would be technically perfect, either, Senator."

Senator McCaslin: "Thank you, sir."

Debate ensued.

Senator Ridder demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the motion by Senator Bottiger that Senate Bill No. 4387, as amended, together with the pending amendment by Senator McDermott be considered following the last measure on the calendar.

ROLL CALL

The Secretary called the roll and the motion failed by the following vote: Yeas, 23; nays, 25; excused, 1.

Voting yea: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—23.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—25.

Excused: Senator Talley—1.

On motion of Senator McDermott, there being no objection, the amendment was withdrawn.

MOTION

Senator Bottiger moved the Senate return to the fourth order of business. Debate ensued.

POINT OF INQUIRY

Senator Fleming: "Senator Clarke, am I to understand from your comments that after we dispose of Senate Bill 4387 that you are willing to adhere to Senator Bottiger's motion to move to the fourth order of business?"

REPLY BY SENATOR HAYNER

Senator Hayner: "Senator Fleming, we have not had an opportunity to report this bill to our committee in the way in which it was amended in the House, and until we do, we are not ready to act on it."

Senator Fleming: "Which committee is that?"

Senator Hayner: "To the caucus."

Senator Bottiger demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator Bottiger that the Senate return to the fourth order of business.

ROLL CALL

The Secretary called the roll and the motion failed by the following vote: Yeas, 23; nays, 25; excused, 1.

Voting yea: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—23.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—25.

Excused: Senator Talley—1.

MOTION

At 5:32 p.m., Senator Fleming moved the Senate be at ease for purpose of a Republican caucus.

Debate ensued.

The motion by Senator Fleming failed on a rising vote.

POINT OF ORDER

Senator Rasmussen: "I note the Republican counsel, who is very eminent and respectable and well-admired, is holding caucuses out here on the Senate floor, which is a very unusual procedure; and I know that the Republicans don't need a caucus, but if they feel they need a slight conference, they should adjourn to the wings and leave the Senate floor. Ordinarily, we don't hold caucuses on the Senate floor; we go into the committee of the whole if we want to discuss things.

"I raise that as a point of order, not because I dislike the counsel, I would like to consult with him, too, once in a while to find out what the Republicans are thinking. But they shouldn't be thinking out here on the floor with their counsel, they should step to one side.

REMARKS BY SENATOR CLARKE

Senator Clarke: "What is your point of order? Do you simply want a ruling that Senate counsel should stay off the floor completely?"

REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "Ordinarily, Senator Clarke, this has been the procedure. The elected officials of the Senate, namely, yourself and the sergeant at arms and the secretary of the Senate, do have that. If we were to have all of the attorneys come out here and confer with each individual as we are proceeding through the legislative process, you can imagine the tremendous confusion that would ensue, and I know you wouldn't like that."

REMARKS BY SENATOR CLARKE

Senator Clarke: "No, Senator, I certainly wouldn't if we were proceeding through the legislative process. Unfortunately, we have been delayed in our effort to proceed through the legislative process by the preparation of a lengthy amendment which we are waiting and giving you the opportunity to prepare.

"Now I notice that just before your caucus was called some time back, we had a complete aggregation in the rear of the room, so I, if you would like, in effect, to establish some sort of a ruling that while the Senate is more or less partially at ease, that we have more rigorous attendance on the floor, you can, in effect, so move."

REMARKS BY SENATOR FLEMING

Senator Fleming: "Mr. President, I don't think Senator Rasmussen is trying to make a big issue or anything of that nature. The question, I guess, arose that we are not really officially at ease; we are just waiting around for an amendment. You did not put us at ease, and in the past, in my fourteen years, twelve at least, in this body, what you are probably saying is, is that the attorneys that we had had before and so forth were not allowed on the floor or any other staff, unless we were at ease. We are not at ease and I think that might have been the point that he was making, but not trying to make a big issue of it."

REPLY BY THE PRESIDENT

President Cherberg: "Senator Rasmussen, there really is no need for you to withdraw the point. Counsel will not go on the floor any more, but in fairness, the Senate was in a relaxed period waiting for the amendment by Senator McDermott to be prepared. Therefore, times of that nature, why the President has no objection; but when the business is proceeding normally, only Senators, pages and Senate elected officials will be permitted to go on the floor."

The Senate resumed consideration of Senate Bill No. 4387, as amended.

Senator McDermott moved adoption of the following amendment:

On page 1, after line 4, strike everything after the enacting clause and insert the following:

"PURPOSE

NEW SECTION. Section 1. Domestic corporations of this state and foreign corporations admitted to do an intrastate business in this state are privileged to carry on innumerable and profitable activities in this state in a corporate form. These corporations are currently subject to nominal and discriminatory annual corporate privilege fees. These fees are limited in amount, have a regressive impact on the smaller corporations, and are measured by authorized capital stock which bears little or not relationship to the extent and to the profitability of the business opportunities afforded corporations by this state.

The purpose of this act is to give recognition to the fact that the privilege of engaging in business activities in this state as a corporation, regardless of the characterization of these activities for commerce clause purposes, is a substantial privilege for which commensurate fees or taxes should be charged. Inasmuch as the profitability of the corporation is a true indication of the nature and extent of the privileges enjoyed, it is the intention of this act to measure the corporate privilege fee by the net income derived by a corporation from the activities it carries on in this state. In order that corporations who do not conduct any intrastate business in this state may be subject to an equivalent tax for comparable privileges but which cannot, because of the commerce clause of the United States Constitution, be subjected to a corporate privilege fee, there is also imposed a compensating tax on corporations doing only an interstate business in this state.

To assure that all corporations pay some fee for the privilege of conducting business activity in this state, the existing corporate fees are not affected by this act. Any existing annual corporate privilege fee, however, is credited against the corporate privilege fee imposed by this act.

If the compensating tax imposed on corporations doing an interstate business in this state is declared invalid, it is nevertheless intended that the corporate privilege fee be imposed pursuant to this act on all profit corporations conducting any intrastate business activity in this state.

PART A
DEFINITIONS—CONSTRUCTION RULES

NEW SECTION. Sec. 2. (1) CONSTRUCTION—MEANING OF TERMS. Except as otherwise expressly provided or clearly appearing from the context, any term used in this title shall have the same meaning as when used in a comparable context in the United States Internal Revenue Code of 1954 and amendments thereto or any successor law or laws relating to federal income taxes and other provisions of the statutes of the United States relating to federal income taxes as such code, laws, and statutes are in effect upon the effective date of this act.

(2) **GENERALLY.** (a) **INTENT.** It is the intention of this title that the income which constitutes the measure of the corporate privilege fee and compensating tax be the same as taxable income as defined and applicable to the subject taxpayer for the same tax year in the Internal Revenue Code, except as otherwise expressly provided in this title.

(b) **DISPOSITION OF REVENUES.** All revenues derived from the taxes imposed by this title shall be deposited in the state general fund.

(3) **SHORT TITLE.** This title may be known and cited as the "Washington Corporate Franchise Privilege Fee and Compensating Tax Code."

NEW SECTION. Sec. 3. **DEFINITIONS AND RULES OF INTERPRETATION.** When used in this title where not otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) "Corporation" means, in addition to an incorporated entity, an association, trust, or any unincorporated organization which is defined as a corporation in the Internal Revenue Code and in substance exercises and privileges of a corporation such as limited liability and issuance of evidences of ownership.

(2) "Department" means the department of revenue of this state.

(3) "Director" means the director of revenue of this state.

(4) "Financial organization" means any bank, trust company, savings bank, industrial bank, land bank, safe deposit company, private banker, savings and loan association, building and loan association, bank holding company as defined in section 1841, chapter 17, Title 12 of the laws of the United States, credit union, currency exchange, cooperative bank, small loan company, sales finance company, or investment company, and any other corporation at least ninety percent of whose assets consist of intangible property and at least ninety percent of whose gross income consists of dividends or interest or other charges resulting from the use of money or credit.

(5) "Fiscal year" means an accounting period of twelve months ending on the last day of any month other than December.

(6) "Foreign corporation" means a corporation organized under the laws of a foreign country or a corporation organized under the laws of any state or the United States which is domiciled in a foreign country.

(7) "Income" means gross income as defined in section 61 of the Internal Revenue Code and includes all items there set forth which the taxpayer is required to include in the computation of its federal income tax liability after the effective date of this act subject to the specific deductions and other adjustments required by this title to arrive at "net income" and "taxable income."

(8) "Internal Revenue Code" means the United States Internal Revenue Code of 1954 or any successor law or laws relating to federal income taxes in effect upon the effective date of this act.

(9) "Net income" means taxable income prior to application of the apportionment provisions of this title.

(10) "Net income tax" means a tax imposed or measured, in whole or in part, on the net income of the taxpayer.

(11) "Person" means a corporation, or any of its officers or employees when so indicated in the context in which the term "person" occurs.

(12) "Returns" includes declarations of estimated tax required under this title.

(13) "Sales" means includes declarations of estimated tax required under this title.

(14) "State" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and territory or possession of the United State, or any political subdivision of any of the foregoing.

(15) "Fee" or "tax" includes interest and penalties, unless the intention to give it a more limited meaning is disclosed by the context.

(16) "Federal taxable income" means, unless specifically defined otherwise in this title, income required to be reported to and subject to tax by the United States government under section 63 of the Internal Revenue Code plus any special deductions for dividends by sections 241, 243, 244, 245, 246, and 247 of the Internal Revenue Code.

(17) "Taxable year" or "tax year" means the calendar year, or the fiscal year ending during the calendar year, upon the basis of which the taxable income is computed under this title. "Taxable year" or "tax year" means, in the case of a return made for a fractional part of a year under this title, the period for which the return is made.

(18) "Taxpayer" means any corporation subject to the fee or tax imposed by this title.

PART B IMPOSITIONS PROVISIONS

NEW SECTION. Sec. 4. FEE IMPOSED ON CORPORATIONS DOING BUSINESS IN THIS STATE. Upon and after March 1, 1982, there is imposed and levied on every corporation, for the privilege of doing or conducting any business in this state as a corporation or exercising or having the privilege of exercising any corporate franchise or privilege in this state, an annual corporate privilege fee measured by ten percent of the taxable income of the corporation. The fee is in addition to the corporate privilege fees imposed by RCW 23A.32.073, 23A.32.075, 23A.32.078, 23A.40.040, 23A.40.060, and 23A.40.150 (subject to the credit provisions contained in section 25(2) of this act).

NEW SECTION. Sec. 5. COMPENSATING TAX IMPOSED ON CORPORATIONS NOT SUBJECT TO THE PRIVILEGE FEE IMPOSED BY SECTION 4. Upon and after 1982, for the privilege of receiving, earning or otherwise acquiring income from any source whatsoever subsequent to 1981, there is levied and imposed on every corporation not subject to the corporate privilege fee imposed by section 4 of this act, an annual compensating tax equals to ten percent of the corporation's taxable income.

NEW SECTION. Sec. 6. INCIDENCE OF PRIVILEGE FEE. Upon and after 1982, the corporate privilege fee imposed on corporations by section 4 of this act shall be paid by every corporation, unless expressly exempted by this title, which conducts any activity in this state for which this state can constitutionally impose any corporate privilege fee. Liability for the corporate privilege fee imposed by section 4 of this act shall commence at the time the activity is conducted in this state of the date any corporation is authorized by the corporate laws of this state to do business in this state, whichever is earlier, and shall cease only when a corporation ceases to conduct any activity in this state for which this state can constitutionally impose any corporate privilege fee or the date a corporation ceases to be qualified to do business in this state, whichever is later.

NEW SECTION. Sec. 7. INCIDENCE OF COMPENSATING TAX. Upon and after, 1982, the compensating tax imposed by section 5 of this act shall be paid by every corporation, not subject to the corporate privilege fee and not expressly exempt under this title, which conducts any activity in this state or derives any income from sources within or attributable to this state for which this state can constitutionally impose an income tax. Liability for the compensating tax shall commence at the time and continue for the period of time any such corporation conducts any such activity in this state or derives any such income from this state and is not also subject to the corporate privilege fee imposed by section 4 of this act on such activity or measured by such income.

PART C TAXABLE INCOME

NEW SECTION. Sec. 8. TAXABLE INCOME DEFINED. (1) "Taxable income" for the purpose of computing the corporate franchise privilege fee and the compensating tax means federal taxable income subject to the following adjustments:

(a) Add taxes on or measured by net income to the extent the taxes have been excluded or deducted from gross income in the computation of federal taxable income.

(b) Add the amount of any deduction taken under section 613A of the Internal Revenue Code.

(c) Add an amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income or deducted in the computation of federal taxable income.

(d) Add in the case of a Western Hemisphere trade corporation, China Trade Act corporation, or possessions company described in section 931(a) of the Internal Revenue Code, an amount equal to the amount deducted or excluded from gross income in the computation of federal taxable income for the taxable year on account of special deductions and exclusions (but in the case of a possessions company, net of the deductions allocable thereto) allowed these corporations under the Internal Revenue Code.

(e) Any adjustments resulting from the apportionment provisions of this title and the accounting provisions of section 26 of this act.

(2) If, for the taxable year of a corporation, there is in effect an election under section 992(b) of the Internal Revenue Code or the corporation is treated as a domestic international sales corporation as defined in section 992(a)(1) of the Internal Revenue Code, the corporation is subject to the privilege fee or compensating tax imposed by this title on its taxable income as defined and accounted for in the Internal Revenue Code for the corporation, subject to the adjustments contained in this section.

PART D APPORTIONMENT PROVISIONS

NEW SECTION. Sec. 9. ADJUSTMENTS TO TAXABLE INCOME—APPORTIONMENT RULES. (1) **IN GENERAL.** (a) All of the net income of any corporation which is not taxable in another state shall be apportioned to this state.

(b) Any corporation which is taxable in this state and another state shall apportion its net income as provided in this title.

(2) **TAXABLE IN ANOTHER STATE.** For purposes of apportionment of net income under this title, a corporation is taxable in another state if that state has jurisdiction to subject the corporation (a) to a corporate privilege fee if the corporation is taxable under section 4 of this act, or (b) to a net income tax if the corporation is taxable under section 5 of this act.

If a corporation has not filed a net income tax return in another state for the tax year and that state imposes a net income tax, unless the corporation is expressly exempted from that state's net income tax, the corporation is deemed not to be subject to either a corporate privilege fee or net income tax in that state for that tax year.

NEW SECTION. Sec. 10. APPORTIONMENT OF NET INCOME. All net income, other than net income from transportation services and financial organizations, shall be apportioned to this state by multiplying the net income by a fraction, the numerator of which is the property factor plus the payroll factor plus the sales factor, excluding any negligible factor, and the denominator of which is three reduced by the number of negligible factors. "Negligible factor" means a factor the denominator of which is less than ten percent of one-third of the taxpayer's gross income.

NEW SECTION. Sec. 11. **PROPERTY FACTOR.** The property factor is a fraction, the numerator of which is the average value of the taxpayer's real and tangible personal property owned and used or rented and used in this state during the tax period, and the denominator of which is the average value of all the taxpayer's real and tangible personal property owned and used or rented and used in all states in which the taxpayer is taxable for the tax year.

NEW SECTION. Sec. 12. **VALUATION OF PROPERTY—RENTED PROPERTY.** Property owned by the taxpayer is valued at its original cost. Property rented by the taxpayer is valued at eight times the net annual rental rate. Net annual rental rate is the annual rental rate paid by the taxpayer less any annual rental rate received by the taxpayer from subrentals but not less than zero.

NEW SECTION. Sec. 13. **AVERAGE VALUE OF PROPERTY.** The average value of property shall be determined by averaging the values at the beginning and ending of the tax period but the director may require the averaging of monthly values during the tax period if reasonably required to properly reflect the average value of the taxpayer's property.

NEW SECTION. Sec. 14. **PAYROLL FACTOR.** The payroll factor is a fraction, the numerator of which is the total amount paid in the state during the tax period by the taxpayer for compensation, and the denominator of which is the total compensation paid in all states in which the taxpayer is taxable for the tax year.

NEW SECTION. Sec. 15. **COMPENSATION PAID WITHIN STATE.** Compensation is paid in this state if:

- (1) The individual's service is performed entirely within the state; or
- (2) The individual's service is performed both within and without the state, but the service performed without the state is incidental to the individual's service within the state; or
- (3) Some of the service is performed in the state and:
 - (a) The base of operations, or if there is no base of operations, the place from which the service is directed or controlled is in the state; or
 - (b) The base of operations or the place from which the service is directed or controlled is not in any state in which some part of the service is performed, but the individual's residence is in this state.

NEW SECTION. Sec. 16. **SALES FACTOR.** The sales factor is a fraction, the numerator of which is the total sales of the taxpayer in this state during the tax year, and the denominator of which is the total sales of the taxpayer in all states.

"Sales", as used in this section means all gross receipts from:

- (1) Sales of tangible personal property;
- (2) Rentals of tangible personal property;
- (3) Sales of real property held for sale in the ordinary course of a taxpayer's trade or business;
- (4) Rentals of real property; and
- (5) Sales of services.

NEW SECTION. Sec. 17. **SALES OF TANGIBLE PERSONALTY, REAL PROPERTY, RENTALS, AND SERVICES WITHIN STATE.** (1) Sales of tangible personal property are in this state if:

- (a) The property is delivered or shipped to a purchaser, other than the United States government, within this state regardless of the f.o.b. point or other conditions of the sale; or
- (b) The property is shipped from an office, store, warehouse, factory, or other place of storage in this state and (i) the purchaser is the United States government or (ii) the taxpayer is not taxable in the state of the purchaser; or

(c) The sale is made from an office located in this state to a purchaser (including the United States government) in another state in which the taxpayer is not taxable and the property is shipped to the purchaser from a state in which the taxpayer is not taxable.

(2) Sales and rentals of real property are in this state if the property is located in this state.

(3) Rentals of tangible personal property are in this state to the extent that the property is used in this state.

(4) Sales of services are in this state to the extent that the service is performed in this state.

NEW SECTION. Sec. 18. INTERSTATE TRANSPORTATION SERVICES. The taxable income of a taxpayer whose activities consist of transportation services for hire rendered partly within this state and partly within another state shall be determined under sections 19 through 22 of this act.

NEW SECTION. Sec. 19. INTERSTATE TRANSPORTATION OTHER THAN OIL OR GAS BY PIPELINE OR AIR CARRIERS—APPORTIONMENT. In the case of net income from transportation services other than that derived from the transportation service of oil or gas by pipeline or air carriers, the net income attributable to Washington sources is that portion of the net income of the taxpayer derived from transportation services wherever performed that the revenue miles of the taxpayer in Washington bear to the revenue miles of the taxpayer in all the states in which the taxpayer is taxable on the services for the tax year. A revenue mile means the transportation for a consideration of one net ton in weight or one passenger the distance of one mile. The net income attributable to Washington sources in the case of a taxpayer engaged in the transportation both of property and of individuals shall be that portion of the entire net income of the taxpayer which is equal to the average of his passenger miles and ton mile fractions, separately computed and individually weighted by the ratio of gross receipts from passenger transportation to total gross receipts from all transportation, and by the ratio of gross receipts from freight transportation to total gross receipts from all transportation, respectively.

NEW SECTION. Sec. 20. INTERSTATE TRANSPORTATION OF OIL BY PIPELINE—APPORTIONMENT. In the case of net income derived from the attributable to Washington shall be that portion of the net income of the taxpayer derived from the pipeline transportation of oil in all the states in which the taxpayer is taxable for the tax year that the barrel miles transported in Washington bear to the barrel miles transported by the taxpayer in all the states in which the taxpayer is taxable for the tax year.

NEW SECTION. Sec. 21. INTERSTATE TRANSPORTATION OF GAS BY PIPELINE—APPORTIONMENT. In the case of net income derived from the transportation of gas by pipeline, net income attributable to Washington shall be that portion of the net income of the taxpayer derived from the pipeline transportation of gas in all the states in which the taxpayer is taxable for the tax year that the thousand cubic feet miles transported in Washington bear to the thousand cubic feet miles transported by the taxpayer in all the states in which the taxpayer is taxable for the tax year.

NEW SECTION. Sec. 22. AIR CARRIERS—APPORTIONMENT. In the case of net income derived by a taxpayer as a carrier by aircraft, the portion of net income of the carrier attributable to Washington shall be the average of the following two percentages:

(1) The revenue tons handled by the air carrier at airports within this state for the tax year divided by the total revenue tons handled by the carrier at airports in all states in which the taxpayer is taxable for the tax year; and

(2) The air carrier's originating revenue within this state for the tax year divided by the total originating revenue of the carrier from all states in which the taxpayer is taxable for the tax year.

NEW SECTION. Sec. 23. FINANCIAL ORGANIZATIONS—APPORTIONMENT. The net income of a financial organization attributable to Washington sources shall be taken to be:

(1) In the case of net income of a taxpayer whose activities are confined solely to this state, the entire net income of the taxpayer.

(2) In the case of net income of a taxpayer who conducts activities as a financial organization partially within and partially without this state, that portion of its net income as its gross business in this state is to its gross business in all the states in which the taxpayer is taxable for the same tax year, which portion shall be determined as the sum of:

(a) Fees, commissions, or other compensation for financial services rendered within this state;

(b) Gross profits from trading in stocks, bonds, or other securities managed within this state;

(c) Interest and dividends received within this state;

(d) Interest charged to customers at places of business maintained within this state for carrying debit balances of margin accounts, without deduction of any costs incurred in carrying the accounts; and

(e) Any other gross income resulting from the operation as a financial organization within this state, divided by the aggregate amount of the items of the taxpayer in all states in which the taxpayer is taxable for the tax year.

NEW SECTION. Sec. 24. Exceptions. (1) If the apportionment provisions of this title do not fairly represent the extent of the taxpayer's activities in this state, the taxpayer may petition for or the director may require, if reasonable:

(a) The exclusion of any one or more of the factors;

(b) The inclusion of one or more additional factors or the substitution of one or more factors; or

(c) The employment of any other method to effectuate an equitable apportionment.

(2) If the apportionment provisions of this title in combination with the allocation and apportionment provisions of other states in which a corporation is required to pay a tax on or measured by net income results in the apportionment or allocation of more than one hundred percent of the corporation's taxable income for the same year, the director may make any adjustment to the apportionment provisions of this title he deems will fairly represent the corporation's income attributable to this state in light of the attribution rules of other states in which the taxpayer is required to pay a tax on or measured by net income for the same tax year.

PART E CREDITS AND EXEMPTIONS

NEW SECTION. Sec. 25. (1) EXEMPTIONS. A corporation organized for any purpose set forth in RCW 24.03.015 and whose property or income does not inure directly or indirectly to the private benefit or gain of any individual or shareholder shall be exempt from the corporate privilege fee and compensating tax imposed by this title.

(2) CREDITS. The amount of any annual privilege fees paid by any corporation under RCW 23A.32.075, 23A.32.078, 23A.40.060, and 23A.40.150 is allowed as a credit against the privilege fee imposed by this title for the taxable year.

PART F ACCOUNTING PROVISIONS

NEW SECTION. Sec. 26. **COMBINED REPORTING—ADMINISTRATIVE ADJUSTMENTS.** (1) In the case of a corporation liable to report under this title owning or controlling, either directly or indirectly, another corporation, or other corporations except foreign corporations, and in the case of a corporation liable to report under this title and owned or controlled, either directly or indirectly, by another corporation except a foreign corporation, the department may require a combined or consolidated report showing the combined taxable income and apportionment factors of the controlled group, except foreign corporations, and any other information it deems necessary to ascertain the taxable income of any corporation subject to either the corporate privilege fee or the compensating tax. The department may, in such manner as it may determine, assess the tax against the corporations which are liable to report under this title and whose taxable income is involved in the report upon the basis of the combined entire taxable income; or it may adjust the tax in such other manner as it determines to be equitable if it determines the adjustment is necessary to prevent evasion of fees or taxes or to reflect the income earned by the corporations from business done in this state. Direct or indirect ownership or control of more than fifty percent of the voting stock of a corporation constitutes ownership or control for purposes of this section.

(2) If two or more organizations, trades, or businesses (whether or not incorporated, whether or not organized in or having income from sources allocable to this state, and whether or not affiliated) are owned or controlled directly or indirectly by the same interests, the department may distribute, apportion, or allocate income, deductions, credits, or allowances between or among the organizations, trades, or businesses if it determines that the distribution, apportionment, or allocation is necessary to prevent evasion of the corporate privilege fee or compensating tax imposed by this title.

NEW SECTION. Sec. 27. **METHOD OF ACCOUNTING.** (1) For purposes of the computation of the corporate privilege fee and compensating tax imposed under this title, a corporation's method of accounting under this title, a corporation's method of accounting shall be the same as the corporation's method of accounting for federal income tax purposes. If no method of accounting is regularly used by a corporation, taxable income for purposes of this title shall be computed under a method prescribed by or acceptable to the department.

(2) It is the intent of this title that taxable income for the subject taxpayer for computation of the corporate privilege fee and the compensating tax be ascertained and returned as provided in this title on the same accounting method or methods used by the taxpayer in computing his federal income tax liability.

NEW SECTION. Sec. 28. **TAX RETURNS FOR PARTIAL YEAR.** If the first taxable year of any corporation with respect to which a fee or tax is imposed by this title ends prior to December 31st of the calendar year, the taxable income for this fractional taxable year shall be the taxpayer's taxable income, computed in accordance with the otherwise applicable provisions of this title, for the entire taxable year, adjusted as follows:

(1) The taxable income shall be multiplied by a fraction, the numerator of which is the number of days in the fractional, taxable year, and the denominator of which is the number of days in the entire taxable year; or

(2) If the taxpayer so elects, the taxable income shall be adjusted, in accordance with rules of the department, so as to include only such income and be reduced only by such deductions as are attributable to this fractional taxable year, as can be clearly determined from the permanent records of the taxpayer.

NEW SECTION. Sec. 29. STARTING DATE—TIME AND MANNER OF PAYMENT. (1) The corporate privilege fee and compensating tax is due and payable in reference to the taxable income, as defined by this title, which is earned, received, or otherwise acquired by any corporation subject to the fee or tax imposed by this title after February 28, 1981, for federal income tax purposes.

(2) The time and manner of payment of the fee or tax imposed by this title shall be in accordance with the Internal Revenue Code (including the provisions relating to installment payments of estimated income tax) and the regulations promulgated thereunder providing for the time and manner of the payment of the federal income tax: **PROVIDED**, That the department by regulation may make these modifications and exceptions to such provisions as it deems necessary to facilitate the prompt and efficient collection of the fee or tax.

(3) regardless of any extension of time granted for filing a final federal income tax for any tax year, the corporate privilege fee imposed by section 4 of this act shall be paid at the time the corporation files its annual report with the secretary of state or any successor officer. No corporation may be qualified to do business in this state if it is delinquent in the payment of the corporate privilege fee imposed by section 4 of this act.

NEW SECTION. Sec. 30. GENERAL ADMINISTRATIVE PROVISIONS. The general administrative provisions pertaining to the compliance, enforcement, and administration of tax laws administered by the department contained in the following sections of chapter 82.32 RCW are applicable to this title: RCW 82.32.050 (except references therein to registration), 82.32.060, 82.32.070 (except the last paragraph), 82.32.080, 82.32.090, 82.32.100 (except reference therein to registration), 82.32.105, 82.32.110, 82.32.120, 82.32.130, 82.32.140, 82.32.150, 82.32.160, 82.32.170, 82.32.190, 82.32.200, first paragraph of 82.32.210, 82.32.220, 82.32.230, 82.32.235, 82.32.240, 82.32.260, 82.32.290 (except references therein to certificates of registration), 82.32.300, 82.32.310, 82.32.320, 82.32.330, 82.32.340, 82.32.350, 82.32.360, and 82.32.380.

NEW SECTION. Sec. 31. BOARD OF TAX APPEALS—JURISDICTION. Jurisdiction is hereby conferred on the state board of tax appeals to review any claim for refund or deficiency assessment of either the corporate privilege fee or compensating tax imposed by this title. In all cases under this section:

(1) The taxpayer or the department may elect either a formal or informal hearing according to rules of practice and procedure promulgated by the board; and

NEW SECTION. Sec. 32. JUDICIAL REVIEW ON APPEAL FROM BOARD. Within thirty days after the final decision of the board in a case in which it has jurisdiction and in which a formal hearing has been elected, the taxpayer or the department may appeal to the court of appeals or the state supreme court as provided by law.

NEW SECTION. Sec. 33. TAX COMPACT. To the extent that Article IV of chapter 82.56 rCW is in conflict with sections 9 through 24 of this act, the article is hereby superseded.

NEW SECTION. Sec. 34. There is added to chapter 82.04 RCW a new section to read as follows:

A corporation, as defined in section 3 of this act, which is subject to a corporate privilege fee or compensating tax under Title 82A RCW is exempt from the provisions of this chapter.

NEW SECTION. Sec. 35. Section headings and captions included in this act do not constitute any part of the law.

NEW SECTION. Sec. 36. 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. 37. Sections 1 through 33 of this act shall be codified as a new title in the Revised Code of Washington, to be numbered Titled 82A.

NEW SECTION. Sec. 38. A state-wide special election is hereby ordered by the legislature to be held on the first Tuesday next succeeding the first Monday in January, 1982. This act shall be submitted to the people for their adoption and ratification, or rejection, at such special election, in accordance with the provisions of section 1, Article II of the Constitution of the state of Washington, as amended, and the laws adopted to facilitate the operation thereof. To the extent RCW 29.13.010 or any other statute is in conflict with the provisions of this section, such statute is hereby superseded."

POINT OF ORDER

Senator Clarke: "I raise the point of scope and object upon the proposed amendment and I would like to speak very briefly to that.

"Senator McDermott has very frankly stated this is an entirely new concept and if it were to be submitted and considered, it should be by a separate bill.

"Now the point has been made in substance, that we were rushing through with enactments that have not been on our desks and we didn't have time to consider; so here comes a brand new amendment, completely changing the very simple issue which is embodied in the original bill, and we are asked, in substance, to vote this thing up or down without having the opportunity to give it any studied consideration.

"Now the entire scope of the bill would be changed by this striking amendment and I submit that it is beyond the scope.

"I might also state that I feel, to some extent, that the submission of this particular amendment with the anticipation that scope and object might be raised is a part of a scheme to further delay and avoid a vote upon the primary concept of the bill which is before us, and I would suggest that we simply remain under the call until we get a ruling on the Point of Order."

POINT OF ORDER

Senator Talmadge: "Mr. President, I raise the Point of Order that Senator Clarke's Point of Order was not timely raised with respect to scope and object as to this amendment. I would like to speak to my Point of Order.

"Thank you, Mr. President, members of the Senate. There was an amendment offered to the previous bill that it did essentially the same thing as this amendment does, that's an amendment that would have inserted corporations in the scope of the personages to be taxed. There was no Point of Order raised with respect to that amendment. Now this amendment is before us, this amendment does virtually the same thing, it simply subjects corporations to the same taxation of income as did that previous amendment.

"I would submit that Senator Clarke's point of order was not timely raised because he did not raise the Point of Order with respect to that previous amendment."

RULING BY THE PRESIDENT

President Cherberg: "The President is prepared to rule upon the point of order presented by Senator Talmadge.

"The President finds that Senator McDermott withdrew the previous amendment and is proposing this amendment. This is a brand new amendment; therefore any Senator is entitled to raise the Point of Order that the amendment changes the scope and object of the bill. The Point of Order presented by Senator Talmadge is not well taken."

MOTION

At 6:12 p.m., on motion of Senator Jones, the Senate was declared to be at ease.

The President called the Senate to order at 6:15 p.m.

RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the Point of Order raised by Senator Clarke, the President finds that Senate Bill No. 4387 is a measure which imposes a one percent gross upon natural persons trusts or estates, but specifically excludes partnerships, associations and corporations.

"The amendment proposed by Senator McDermott would impose a corporate tax in the amount of ten percent of a corporation's net income and provides that corporations paying such tax are exempt from the B&O tax.

"The President therefore finds that the proposed amendment does expand the scope and object of the bill and that the Point of Order is well taken."

The amendment by Senator McDermott was ruled out of order.

MOTION

On motion of Senator Bottiger, Senator Shinpoch was excused from the Call of the Senate.

On motion of Senator Charnley, the rules were suspended, Engrossed Senate Bill No. 4387 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. 4387, and the bill failed to pass the Senate by the following vote: Yeas, 13; nays, 34; excused, 2.

Voting yea: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gould, Hemstad, Lee, McDermott, Ridder, Scott, Williams, Zimmerman—13.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gaspard, Goltz, Guess, Haley, Hansen, Hayner, Hughes, Hurley, Jones, Kiskaddon, Lysen, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Sellar, Talmadge, Vognild, von Reichbauer, Wilson, Wojahn, Woody—34.

Excused: Senators Shinpoch, Talley—2.

ENGROSSED SENATE BILL NO. 4367, having failed to receive the constitutional majority, was declared lost.

MOTION

Senator Bottiger moved the Senate now consider Senate Bill No. 4930.

MOTION

At 6:45 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 7:03 p.m.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Talmadge served notice that he would, on the next working day, move for reconsideration of the vote by which Senate Bill No. 4387 failed to pass the Senate.

The President advised Senator Talmadge that the measure must be reconsidered during the present working day.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Talmadge moved the Senate reconsider the vote by which Senate Bill No. 4387 failed to pass the Senate.

MOTION

On motion of Senator Clarke, the motion by Senator Talmadge on reconsideration of the vote by which Senate Bill No. 4387 failed to pass the Senate will be held for consideration during this working day.

MOTION

On motion of Senator Clarke, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

April 1, 1982.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 4216 with the following amendments:

On page 9, after line 21, insert the following:

"Sec. 6. Section 73, chapter 35, Laws of 1945 as last amended by section 4, chapter 35, Laws of 1981 and RCW 50.20.050 are each amended to read as follows:

(1) An individual shall be disqualified from benefits beginning with the first day of the calendar week in which he or she has left work voluntarily without good cause and thereafter until he or she has obtained bona fide work and earned wages of not less than his or her suspended weekly benefit amount in each of five calendar weeks.

The disqualification shall continue if the work obtained is a mere sham to qualify for benefits and is not bona fide work. In determining whether work is of a bona fide nature, the commissioner shall consider factors including but not limited to the following:

- (a) The duration of the work;
- (b) The extent of direction and control by the employer over the work; and
- (c) The level of skill required for the work in light of the individual's training and experience.

(2) An individual shall not be considered to have left work voluntarily without good cause when:

(a) He or she has left work to accept a bona fide offer of bona fide work as described in subsection (1) of this section; or

(b) The separation was because of the illness or disability of the claimant or the death, illness, or disability of a member of the claimant's immediate family if the claimant took all reasonable precautions, in accordance with any regulations that the commissioner may prescribe, to protect his or her employment status by having promptly notified the employer of the reason for the absence and by having promptly requested reemployment when again able to assume employment: PROVIDED, That these precautions need not have been taken when they would have been a futile

act, including those instances when the futility of the act was a result of a recognized labor/management dispatch system.

(3) In determining under this section whether an individual has left work voluntarily without good cause, the commissioner shall only consider work-connected factors such as the degree of risk involved to the individual's health, safety, and morals, the individual's physical fitness for the work, the individual's ability to perform the work, and such other work connected factors as the commissioner may deem pertinent, including state and national emergencies. Good cause shall not be established for voluntarily leaving work because of its distance from an individual's residence where the distance was known to the individual at the time he or she accepted the employment and where, in the judgment of the department, the distance is customarily traveled by workers in the individual's job classification and labor market, nor because of any other significant work factor which was generally known and present at the time he or she accepted employment, unless the related circumstances have so changed as to amount to a substantial involuntary deterioration of the work factor or unless the commissioner determines that other related circumstances would work an unreasonable hardship on the individual were he or she required to continue in the employment.

(4) Subsections (1) and (3) of this section shall not apply to an individual whose marital status or domestic responsibilities cause him or her to leave employment. Such an individual shall not be eligible for unemployment insurance benefits until he or she has requalified, either by obtaining bona fide work and earning wages of not less than the suspended weekly benefit amount in each of five calendar weeks or by reporting in person to the department during ten different calendar weeks and certifying on each occasion that he or she is ready, able, and willing to immediately accept any suitable work which may be offered, is actively seeking work pursuant to customary trade practices, and is utilizing such employment counseling and placement services as are available through the department."

Renumber the sections consecutively and correct any internal references accordingly.

On page 1, line 5 of the title, after "50.12.200;" insert "amending section 73, chapter 35, Laws of 1945 as last amended by section 4, chapter 35, Laws of 1981 and RCW 50.20.050;"

On page 16, after line 7 insert the following:

"(2) There is no other person, firm or corporation doing the same work at the same time on the same project except two or more persons, firms or corporations may contract and do the same work at the same time on the same project if each person, firm or corporation has employees;"

Renumber the remaining subsections appropriately.

On page 18, line 5 after "after," strike "June 30" and insert "February 26", and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTIONS

Senator Quigg moved the Senate concur in the House amendments to Engrossed Substitute Senate Bill No. 4216.

On motion of Senator Bottiger, the question was divided.

On motion of Senator Bottiger, the Senate concurred in the House amendments to page 9, commencing on line 21 and page 16, following line 7.

Senator Bottiger moved the Senate not concur in the House amendment to page 18, line 5.

POINT OF INQUIRY

Senator McDermott: "Senator Quigg, can you tell us how many people the department of employment security estimates will not receive benefits as a result of this amendment?"

Senator Quigg: "Senator McDermott, the estimate at present, year out, are sufficiently foggy that they, right now, don't have figures on the folks who would not, if this were not extended at that time. But I think that it is pretty apparent that if we had conditions equivalent or worse than we have today, the legislature would have a very difficult time come February 26th or any day before then not to deal with this issue in 1983."

Senator McDermott: "The figure we got from the department is that 20,000 people will be denied benefits and I urge you to not adopt this amendment. I think that what we have here is a gamble taken by the legislature that somehow we will come back here in January and deal with 20,000 people. Everybody in the department of employment security and they are certainly not being pessimistic, they are being as optimistic as they can and they say this amendment will mean 20,000 people get cut out of extended benefits."

"Now I suppose we are going to adopt this but I urge you not to adopt it because you are going to come back and you are going to have the same fights and waste the same amount of time in February of next year."

Debate ensued.

Senator Wilson demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the positive motion by Senator Quigg that the Senate concur in the House amendment to page 18, line 5 to Engrossed Substitute Senate Bill No. 4216.

ROLL CALL

The Secretary called the roll and the motion carried by the following vote: Yeas, 24; nays, 23; excused, 2.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—24.

Voting nay: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Pullen, Rasmussen, Ridder, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—23.

Excused: Senators Shinpoch, Talley—2.

Debate ensued.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute Senate Bill No. 4216, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 4216, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Sellar, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—47.

Excused: Senators Shinpoch, Talley—2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4216, 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

March 31, 1982.

Mr. President: The House has refused to concur in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1217 and asks the Senate to recede therefrom, and said bill together with attached amendments is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

Senator Newhouse moved the Senate refuse to recede from the Senate amendments to Engrossed Substitute House Bill No. 1217 and ask the House for a conference thereon.

Debate ensued.

MOTION

On motion of Senator Gould, the House Message on Engrossed Substitute House Bill No. 1217 together with the pending motion by Senator Newhouse, was made a special order of business immediately upon convening on the next working day.

MESSAGES FROM THE HOUSE

April 1, 1982.

Mr. President: The Speaker has signed: SUBSTITUTE HOUSE BILL NO. 808, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

April 1, 1982.

Mr. President: The House has adopted SENATE CONCURRENT RESOLUTION NO. 138, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

April 1, 1982.

Mr. President: The House has passed:
SUBSTITUTE SENATE BILL NO. 4841,
SUBSTITUTE SENATE BILL NO. 4864, and the same are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

April 1, 1982.

Mr. President: The House has passed:
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 784,
ENGROSSED HOUSE BILL NO. 1099, and the same are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: SUBSTITUTE HOUSE BILL NO. 808.

SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE SENATE BILL NO. 4841,
SUBSTITUTE SENATE BILL NO. 4864,
SENATE CONCURRENT RESOLUTION NO. 138.

MOTION

On motion of Senator Clarke, the Senate returned to the first order of business.

REPORT OF STANDING COMMITTEE

March 31, 1982.

SUBSTITUTE HOUSE BILL NO. 764, providing temporary procedures for property tax listing and payments (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Scott, Chairman; Bauer, Craswell, Fleming, Haley, Hayner, Hughes, Jones, Lee, Ridder.

MOTION

On motion of Senator Clarke, the rules were suspended, Substitute House Bill No. 764 was placed on the second reading calendar.

MOTION

On motion of Senator Clarke, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 784, by Committee on Ways and Means (originally sponsored by Committee on Appropriations-Education and Representative McDonald) (by Office of Financial Management request):

Making miscellaneous changes in law relating to institutions of higher education.

ENGROSSED HOUSE BILL NO. 1099, by Committee on Appropriations-General Government and Representative Williams:

Revising forest fire protection assessments.

MOTION

On motion of Senator Clarke, the rules were suspended, Engrossed Second Substitute House Bill No. 784 and Engrossed House Bill No. 1099 were placed on the second reading calendar for April 2, 1982.

MOTION

On motion of Senator Newhouse, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

April 1, 1982.

Mr. President: The House has passed SENATE BILL NO. 4634 with the following amendments:

On page 3, after line 21 insert the following:

"NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 4 of the title, after "84.48.080;" strike "and" and on line 5, after "84.55.070" insert "; and declaring an emergency", and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Scott, the Senate concurred in the House amendments to Senate Bill No. 4634.

The President declared the question before the Senate to be the roll call on final passage of Senate Bill No. 4634, as amended by the House.

MOTION

On motion of Senator Clarke, the roll call on final passage of Senate Bill No. 4634, as amended by the House, was ordered held for April 2, 1982.

MOTION

On motion of Senator Clarke, the Senate advanced to the eighth order of business.

MOTION

On motion of Senator Deccio, the Committee on Social and Health Services was relieved from further consideration of House Bill No. 1158.

Senator Deccio moved that the rules be suspended and House Bill No. 1158 be placed on the second reading calendar.

PARLIAMENTARY INQUIRY

Senator Bottiger: "Mr. President, does this require a two-thirds vote?"

REPLY BY THE PRESIDENT

President Cherberg: "A majority, Senator Bottiger."

POINT OF INQUIRY

Senator Moore: "Senator Deccio, could you tell me what the cutoff date was for consideration of that bill? I am not clear just when that bill arrived here."

Senator Deccio: "Senator Moore, I'm not either. It was brought to my attention today and that is why we moved on it."

Senator Moore: "I am not antagonistic, I just was inquiring."

The motion by Senator Deccio carried.

House Bill No. 1158 was placed on the second reading calendar.

MOTION

On motion of Senator Clarke, the Senate commenced consideration of the motion for reconsideration by Senator Talmadge.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side and having given prior notice, Senator Talmadge moved the Senate reconsider the vote by which Engrossed Senate Bill No. 4387 failed to pass the Senate today.

MOTION

At 7:52, on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 8:01 p.m.

The President declared the question before the Senate to be the motion by Senator Talmadge that the Senate reconsider the vote by which Engrossed Senate Bill No. 4387 failed to pass the Senate today.

Senator von Reichbauer demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator Talmadge that the Senate reconsider the vote by which Engrossed Senate Bill No. 4387 failed to pass the Senate.

ROLL CALL ON MOTION FOR RECONSIDERATION

The Secretary called the roll and the motion failed by the following vote: Yeas, 19; nays, 28; excused, 2.

Voting yea: Senators Bottiger, Charnley, Conner, Fleming, Goltz, Gould, Hansen, Hemstad, Lee, Lysen, McDermott, Metcalf, Peterson, Ridder, Talmadge, Vognild, Williams, Woody, Zimmerman—19.

Voting nay: Senators Bauer, Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gaspard, Guess, Haley, Hayner, Hughes, Hurley, Jones, Kiskaddon, McCaslin, Moore, Newhouse, Patterson, Pullen, Quigg, Rasmussen, Scott, Sellar, von Reichbauer, Wilson, Wojahn—28.

Excused: Senators Shinpoch, Talley.

MOTION

On motion of Senator Clarke, the Senate dispensed with the Call of the Senate.

PERSONAL PRIVILEGE

Senator Vognild: "Thank you, Mr. President, members of the body. Roughly three years ago, a little over a hundred American citizens were held hostage in Iran. They were freed and it caused for great celebration throughout the nation. I feel today that somewhere around 50,000 Washington citizens were freed from hostage of this legislature, and I hope that those who worked toward that freedom by passage of Engrossed Senate Bill 4216 will celebrate the same way this nation did three years ago."

MOTION

At 8:07 p.m., on motion of Senator Clarke, the Senate adjourned until 9:00 a.m., Friday, April 2, 1982.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-SECOND DAY

MORNING SESSION

Senate Chamber, Olympia, Friday, April 2, 1982.

The Senate was called to order at 9:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Charnley, Fleming, Hurley, Lysen, Talley and Wojahn. On motion of Senator Ridder, Senators Charnley, Fleming, Hurley and Talley were excused.

The Color Guard, consisting of Pages Eric Peckham and Vicki Kennerud, presented the Colors. Reverend Lester G. Olson, pastor of Gloria Dei Lutheran Church of Olympia, offered the prayer.

MOTION

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

SIGNED BY THE PRESIDENT

The President signed: SUBSTITUTE SENATE BILL NO. 4216.

MOTION

At 9:10 a.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 10:40 a.m.

MESSAGE FROM THE GOVERNOR

Office of the Governor, April 1, 1982.

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

LADIES AND GENTLEMEN:

I have the honor to advise you that on April 1, 1982 Governor Spellman approved the following Senate Bills entitled:

SUBSTITUTE SENATE BILL NO. 4461: Relating to the sexual abuse of children.

SUBSTITUTE SENATE BILL NO. 4501: Relating to public works.

SUBSTITUTE SENATE BILL NO. 4046: Relating to livestock.

SENATE BILL NO. 4584: Relating to horse racing.

SENATE BILL NO. 4680: Relating to the sheriff's office civil service commission.

SENATE BILL NO. 4718: Relating to veterinary medicine, surgery and dentistry.

SENATE BILL NO. 4468: Relating to retirement from public service.

SUBSTITUTE SENATE BILL NO. 4502: Relating to modification of the percentages in the local school district apportionment schedule.

SUBSTITUTE SENATE BILL NO. 3249: Relating to state government.

SUBSTITUTE SENATE BILL NO. 3913: Relating to unfair business practices.

SENATE BILL NO. 4366: Relating to unlawful issuance of checks and drafts.

- SUBSTITUTE SENATE BILL NO. 4449: Relating to superior courts.
- SENATE BILL NO. 4483: Relating to assault.
- SENATE BILL NO. 4512: Relating to railroads.
- SUBSTITUTE SENATE BILL NO. 4545: Relating to motor vehicle excise tax exemptions.
- SENATE BILL NO. 4547: Relating to licenses for antique vehicles.
- SENATE BILL NO. 4638: Relating to retirement of public employees.
- SENATE BILL NO. 4690: Relating to highways.
- SENATE BILL NO. 4064: Relating to annexation of territory by water districts and sewer districts.
- SENATE BILL NO. 4507: Relating to investment of current state funds.
- SENATE BILL NO. 3795: Relating to health care services.
- SENATE BILL NO. 4493: Relating to justice court jurisdiction.
- SENATE BILL NO. 4701: Relating to health maintenance organizations.
- SENATE BILL NO. 4466: Relating to wildlife agents.
- SUBSTITUTE SENATE BILL NO. 4684: Relating to plant pests and diseases.
- SENATE BILL NO. 4681: Relating to natural areas.
- SUBSTITUTE SENATE BILL NO. 4550: Relating to game.
- SENATE BILL NO. 4477: Relating to volunteer work on state park lands.
- SENATE BILL NO. 4464: Relating to food fish and shellfish.
- SENATE BILL NO. 3587: Relating to education.
- SENATE BILL NO. 3156: Relating to energy conservation.
- SUBSTITUTE SENATE BILL NO. 4917: Relating to the state board of education.
- SUBSTITUTE SENATE BILL NO. 4562: Relating to transportation.
- SUBSTITUTE SENATE BILL NO. 4561: Relating to license fees.
- SUBSTITUTE SENATE BILL NO. 4438: Relating to commission merchants.
- SECOND SUBSTITUTE SENATE BILL NO. 3541: Relating to the administering of oral medication to students.

Sincerely,
 MARILYN SHOWALTER
 Counsel to the Governor.

MOTION

On motion of Senator Clarke, the Senate advanced to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 764, by Committee on Revenue (originally sponsored by Committee on Revenue and Representative Greengo) (by Department of Revenue request):

Providing temporary procedures for property tax listing and payments.

The bill was read the second time by sections.

On motion of Senator Scott, the rules were suspended, Substitute House Bill No. 764, 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 Substitute House Bill No. 764, and the bill passed the Senate by the following vote: Yeas, 36; nays, 6; absent or not voting, 3; excused, 4.

Voting yea: Senators Benitz, Bluechel, Clarke, Conner, Craswell, Deccio, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Ridder, Scott, Sellar, Shinpoch, Talmadge, Williams, Wilson, Woody, Zimmerman—36.

Voting nay: Senators Bottiger, Hughes, Pullen, Rasmussen, Vognild, von Reichbauer—6.

Absent or not voting: Senators Bauer, Lysen, Wojahn—3.

Excused: Senators Charnley, Fleming, Hurley, Talley—4.

SUBSTITUTE HOUSE BILL NO. 764, having received the 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, Senator Wojahn was excused.

SECOND READING

ENGROSSED HOUSE BILL NO. 1099, by Committee on Appropriations—General Government and Representative Williams:

Revising forest fire protection assessments.

The bill was read the second time by sections.

Senator Talmadge moved adoption of the following amendment:

On page 4, line 14, strike all of section 2.

MOTIONS

On motion of Senator Clarke, the Senate commenced consideration of amendments by Senators Benitz and Newhouse without prejudice with right of Senator Talmadge to consider the Talmadge amendment if the Benitz, Newhouse amendments fails.

On motion of Senator Newhouse, the following amendments by Senators Benitz and Newhouse were considered and adopted simultaneously:

On page 1, line 22, following "PROVIDED FURTHER," strike everything down through and including "amount" on page 2, line 1, and insert the following: "That an owner of two or more parcels per county, each containing less than thirty acres, may obtain a certified list of such parcels from the county assessor and file it by January 1 each year with the department, which will collect from that owner one minimum assessment for all parcels. Should the total acreage of the parcels filed exceed 30 acres, the per-acre rate shall apply. If payment is not received within ten days of filing, the owner shall not be entitled to the exception contained in this proviso for that tax year and the assessments shall be collected as otherwise provided"

On page 5, line 4, after "dollars" insert the following: " : PROVIDED, That the department may establish a minimum assessment for ownership parcels containing less than thirty acres. The maximum assessment for these parcels shall not exceed the fees levied on a thirty acre parcel"

On motion of Senator Peterson, the following amendments were considered and adopted simultaneously:

On page 2, line 7, after "district." reinsert the stricken language down through and including "hearing:))" on line 10

On page 2, line 15, after "incurred" reinsert the stricken language down through and including "adequate))" on line 19

On motion of Senator Newhouse, the rules were suspended, Engrossed House Bill No. 1099, 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 Clarke, as requested by Senator Peterson, Engrossed House Bill No. 1099, as amended by the Senate, was ordered held for a later time.

MOTION

On motion of Senator Clarke, the Senate returned to the fourth order of business.

The Senate resumed consideration of the following House Message in which the Senate had concurred in the House amendment on April 1, 1982.

MESSAGE FROM THE HOUSE

April 1, 1982.

Mr. President: The House has passed SENATE BILL NO. 4634 with the following amendments:

On page 3, after line 21 insert the following:

"**NEW SECTION.** Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 4 of the title, after "84.48.080;" strike "and" and on line 5, after "84.55.070" insert "; and declaring an emergency", and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 4634, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 40; nays, 4; absent or not voting, 1; excused, 4.

Voting yea: Senators Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, von Reichbauer, Williams, Woody, Zimmerman—40.

Voting nay: Senators Hansen, Pullen, Vognild, Wilson—4.

Absent or not voting: Senator Bauer—1.

Excused: Senators Charnley, Fleming, Talley, Wojahn—4.

SENATE BILL NO. 4634, 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 Clarke, the Senate advanced to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1109, by House Committee on Ways and Means (originally sponsored by Representatives Sommers, Greengo and King (J.):

Modifying provisions relating to budget stabilization act.

The bill was read the second time by sections.

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

On page 4, line 22, before "each house" strike "of" and insert "elected to"

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

On page 5, line 9, beginning with subparagraph "(d)" strike everything down through "infrastructure;" on line 12.

On motion of Senator Scott, the rules were suspended, Substitute House Bill No. 1109, 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 Talmadge: "Senator Scott, the question I have as to how this thing would work in light of the problem that a lot of us seem to have forgotten with respect to the buy-back of the twenty-fifth month of revenue. Would this be a fund that would be separate from the account that would be reserved for the twenty-fifth month or could this account be applied to the buying back of that twenty-fifth month?"

Senator Scott: "The answer to your first question is 'yes;' the answer to the second question is though the legislature can allot the money by 60% of each house vote to that problem should they wish, the amendment is not basically directed to the twenty-fifth month problem, but it could be applied to it should the legislature want to."

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1109, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 31; nays, 16; excused, 2.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, Shinpoch, Vognild, von Reichbauer, Wilson, Woody, Zimmerman—31.

Voting nay: Senators Bauer, Bottiger, Conner, Fleming, Gaspard, Goltz, Hughes, Lysen, McDermott, Moore, Peterson, Rasmussen, Ridder, Talmadge, Williams, Wojahn—16.

Excused: Senators Charnley, Talley—2.

SUBSTITUTE HOUSE BILL NO. 1109, 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 SUBSTITUTE HOUSE JOINT RESOLUTION NO. 13, by House Committee on Ways and Means (originally sponsored by Representatives Williams, Dawson, Isaacson and Dickie):

Modifying fiscal provisions of state constitution.

REPORT OF STANDING COMMITTEE

March 24, 1982.

ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 13, modifying fiscal provisions of the state constitution (reported by Committee on Constitutions and Elections):

MAJORITY recommendation: Do pass with the following amendments by Committee on Ways and Means and Constitutions and Elections:

On page 1, line 18, strike ", in the account"

On page 1, line 19, after "required" insert "if the annual growth rate in real personal income does not exceed three percentage points or"

On page 2, line 3, after "members" strike "of" and insert "elected to"
 On page 2, line 4, strike all material down to and including "biennium." on line
 19

Signed by: Senators Pullen, Chairman; Clarke, Gould, Metcalf.

The resolution was read the second time in full.

On motion of Senator Pullen, the committee amendments by the Committee on
 Constitutions and Elections to page 1, lines 18 and 19 and page 2, line 3, were
 adopted.

On motion of Senator Pullen, the committee amendment by the Committee on
 Ways and Means to page 2, line 4 was adopted.

On motion of Senator Scott, the rules were suspended, Engrossed Substitute
 House Joint Resolution No. 13, 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.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute
 House Joint Resolution No. 13, as amended by the Senate, and the resolution failed
 to pass the Senate by the following vote: Yeas, 28; nays, 19; excused, 2.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller,
 Gallagher, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones,
 Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg,
 Rasmussen, Sellar, von Reichbauer, Wilson, Zimmerman—28.

Voting nay: Senators Bauer, Bottiger, Conner, Fleming, Gaspard, Hughes,
 Hurley, Lysen, McDermott, Moore, Peterson, Ridder, Scott, Shinpoch, Talmadge,
 Vognild, Williams, Wojahn, Woody—19.

Excused: Senators Charnley, Talley—2.

ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 13, 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 Scott served notice that he would,
 during this working day, move for reconsideration of the vote by which Engrossed
 Substitute House Joint Resolution No. 13, as amended by the Senate, failed to pass.

MOTION

At 11:50 a.m., on motion of Senator Clarke, the Senate recessed until 3:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 3:30 p.m.

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

MESSAGE FROM THE HOUSE

April 2, 1982.

Mr. President: The Speaker has signed:
 SUBSTITUTE SENATE BILL NO. 4216,
 SUBSTITUTE SENATE BILL NO. 4841,
 SUBSTITUTE SENATE BILL NO. 4864,

SENATE CONCURRENT RESOLUTION NO. 138, and the same are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

At 3:32 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 3:53 p.m.

SIGNED BY THE PRESIDENT

The President signed: SENATE BILL NO. 4634.

MOTION

Senator Hayner moved the Senate commence consideration of Senate Bill No. 4368.

MOTION

At 4:09 p.m., on motion of Senator Clarke, the Senate recessed until 7:00 p.m.

EVENING SESSION

The President called the Senate to order at 7:00 p.m.

MESSAGES FROM THE HOUSE

April 2, 1982.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 736 and has passed the bill as amended by the Senate.

VITO T. CHIECHI, Chief Clerk.

April 2, 1982.

Mr. President: The Speaker has signed: SUBSTITUTE HOUSE BILL NO. 764, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: SUBSTITUTE HOUSE BILL NO. 764.

MOTION

On motion of Senator Clarke, the Senate returned to the first order of business.

REPORT OF STANDING COMMITTEE

March 31, 1982.

SENATE BILL NO. 5007, relating to compensation for public employees (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 5007 be substituted therefor, and the substitute bill do pass.

Signed by: Senators Scott, Chairman; Bluechel, Craswell, Deccio, Haley, Hayner, Jones, Lee, Zimmerman.

MOTION

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5007 was placed on second reading for consideration this evening.

REPORT OF STANDING COMMITTEE

April 2, 1982.

SECOND SUBSTITUTE HOUSE BILL NO. 124, modifying provisions relating to public employment (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Scott, Chairman; Bauer, Bluechel, Craswell, Deccio, Gaspard, Haley, Hayner, Hughes, Jones, Lee, McDermott, Pullen, Zimmerman.

MOTION

On motion of Senator Clarke, the rules were suspended, Second Substitute House Bill No. 124 was placed on second reading for consideration this evening.

MOTION

At 7:15 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 7:45 p.m.

MOTION

On motion of Senator Clarke, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

April 2, 1982.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 4369 and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

April 2, 1982.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 4369, as amended by the House, modifying appropriation for the 1981-83 fiscal biennium, have had the same under consideration, and we report that we cannot agree and request powers of Free Conference in order to recommend the following:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1.

INDEX

Accountancy Board, sec. 31

Administrator for the Courts, sec. 9

Agriculture Department, sec. 68

Archaeology and Historic Preservation Office, sec. 64

Arts Commission, sec. 97

Asian-American Affairs Commission, sec. 16
Attorney General, sec. 20
Blind Commission, sec. 57
Boxing Commission, sec. 32
Central Washington University, secs. 88, 91
Chief Administrative Law Judge, sec. 104
Columbia River Gorge Commission, sec. 60
Commerce and Economic Development Department, sec. 65
Community College Education Board, secs. 84, 91
Compact for Education, sec. 93
Corrections Department, secs. 38, 39, 106
Court of Appeals, sec. 8
Data Processing Authority, sec. 23
Deferred Compensation Committee, sec. 24
Eastern Washington State Historical Society, sec. 99
Eastern Washington University, secs. 87, 91
Ecology Department, sec. 61
Emergency Services Department, sec. 35
Employment Security Department, sec. 56
Energy Fair '83, sec. 105
Energy Office, sec. 59
Environmental Hearings Office, sec. 62
Environmental Policy Commission, sec. 70
Fisheries Department, sec. 66
General Administration Department, secs. 27, 114
Governor, sec. 11
Governor, Special Appropriations, sec. 12
Hospital Commission, sec. 55
Human Rights Commission, sec. 52
Indian Affairs Office, sec. 16
Insurance Commissioner, sec. 28
Jail Commission, sec. 58
Judicial Council, sec. 10
Judicial Information System, sec. 113
Judicial Qualifications Commission, sec. 109
Labor and Industries Department, sec. 53
Law Library, sec. 7
Legislative Budget Committee, sec. 2
Legislative Evaluation and Accountability Program Committee, sec. 3
Lieutenant Governor, sec. 13
Liquor Control Board, sec. 33
Licensing Department, sec. 69
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Minority and Women's Affairs Office, sec. 15
Natural Resources Department, sec. 67
Office of Financial Management, sec. 21
Parks and Recreation Commission, sec. 63
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- Public Broadcasting Commission, sec. 94
- Public Disclosure Commission, sec. 30
- Public Employment Relations Commission, sec. 37
- Revenue Department, sec. 25
- Secretary of State, sec. 14
- Sentencing Guidelines Commission, sec. 107
- Social and Health Services Department, Administration and Supporting Services Program, sec. 47
- Social and Health Services Department, Community Services Administration Program, sec. 48
- Social and Health Services Department, Community Social Services Grants Program, sec. 44
- Social and Health Services Department, Developmental Disabilities Program, sec. 41
- Social and Health Services Department, Income Maintenance Grants Program, sec. 43
- Social and Health Services Department, Medical Assistance Grants Program, sec. 45
- Social and Health Services Department, Mental Health Program, sec. 40
- Social and Health Services Department, Nursing Homes Program, sec. 42
- Social and Health Services Department, Services for the Blind, sec. 49
- Social and Health Services Department, Vocational Rehabilitation Program, sec. 46
- State Actuary, sec. 4
- State Auditor, sec. 18
- State Capitol Historical Association, sec. 100
- State Historical Society, sec. 98
- State Library, sec. 96
- State Patrol, sec. 110
- State Treasurer, sec. 17
- State Treasurer, State Revenues for Distribution, sec. 29
- State Treasurer, Transfers, sec. 101
- Statute Law Committee, sec. 5
- Sundry Claims, sec. 102
- Superintendent of Public Instruction, Basic Education, sec. 72
- Superintendent of Public Instruction, Block Grants, sec. 80
- Superintendent of Public Instruction, Educational Clinics, sec. 82
- Superintendent of Public Instruction, Educational Service Districts, sec. 79
- Superintendent of Public Instruction, Food Service, sec. 77
- Superintendent of Public Instruction, Handicapped Costs, sec. 78
- Superintendent of Public Instruction, Pupil Transportation, sec. 75
- Superintendent of Public Instruction, Reductions, sec. 83
- Superintendent of Public Instruction (including State Education Board), sec. 71
- Superintendent of Public Instruction, Salary and Compensation Increases, secs. 73, 74
- Superintendent of Public Instruction, State Institutional Education Programs, sec. 81
- Superintendent of Public Instruction, Vocational-Technical Institutes, sec. 76
- Supreme Court, sec. 6
- Tax Appeals Board, sec. 26
- The Evergreen State College, secs. 89, 91
- Transportation Department, secs. 111, 112
- University of Washington, secs. 85, 91
- Veterans Affairs Department, sec. 49
- Vocational Education Commission, sec. 95

Washington State University, secs. 86, 91
 Western Washington University, secs. 89, 91
 Winter Recreation Commission, sec. 108

Sec. 2. Section 4, chapter 340, Laws of 1981 as amended by section 5, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation \$ ~~((1,163,000))~~
 1,303,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$50,000 is provided solely for the study of duplication of courses and programs in higher education. The study shall include, but not be limited to: (a) Undergraduate, graduate, professional, vocational, research, and extension programs; and (b) programs offered by universities, colleges, community colleges, and vocational-technical institutes. The committee may contract with the council for postsecondary education to perform this study.

(2) \$125,000 is provided solely for a grant to study the structure and management of education systems, kindergarten through higher education, in the manner outlined in Reengrossed Senate Bill No. 3609. Of this amount, \$25,000 is provided directly for the study and up to \$100,000 may be used as matching funds for private moneys received for the same purpose.

Sec. 3. Section 5, chapter 340, Laws of 1981 as amended by section 6, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund Appropriation \$ ~~((1,180,000))~~
 1,145,000

Sec. 4. Section 6, chapter 340, Laws of 1981 as amended by section 7, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE STATE ACTUARY

General Fund Appropriation \$ ~~((296,000))~~
 287,000

Sec. 5. Section 7, chapter 340, Laws of 1981 as amended by section 8, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATUTE LAW COMMITTEE

General Fund Appropriation \$ ~~((4,275,000))~~
 4,147,000

Sec. 6. Section 8, chapter 340, Laws of 1981 as amended by section 9, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPREME COURT

General Fund Appropriation \$ ~~((5,710,000))~~
 5,630,000

The appropriation in this section is subject to the following condition or limitation: \$1,325,000 is provided solely for indigent appeal cases.

Sec. 7. Section 9, chapter 340, Laws of 1981 as amended by section 10, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE LAW LIBRARY

General Fund Appropriation \$ ~~((1,658,000))~~
 1,608,000

The appropriation in this section is subject to the following condition or limitation: All nonstate agency users of the Westlaw system shall be charged a service fee sufficient to cover the costs of their usage.

Sec. 8. Section 10, chapter 340, Laws of 1981 as amended by section 11, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund Appropriation	\$	((7,820,000))
		<u>7,720,000</u>

The appropriation in this section is subject to the following condition or limitation: \$1,273,000 is provided solely for lease and associated costs for Division I relocation, and no other moneys may be expended for these purposes.

Sec. 9. Section 11, chapter 340, Laws of 1981 as amended by section 12, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund Appropriation	\$	((+0,485,000))
		<u>10,295,000</u>
General Fund—Judiciary Education Account Appropriation	\$	359,000
Total Appropriation	\$	((+0,844,000))
		<u>10,654,000</u>

The appropriations in this section are subject to the following conditions ~~(or)~~ and limitations:

(1) A maximum of \$8,185,000 of the general fund appropriation may be spent for the superior court judges, including prior claims. Of this amount, \$310,000 is provided solely for criminal cost bills, including prior claims; \$300,000 is provided solely for mandatory arbitration costs, including prior claims; and \$114,000 is provided solely for judges pro tempore for the superior courts. The administrator for the courts shall authorize and approve all such expenditures.

(2) Effective July 1, 1982, costs associated with the operation of the judicial council shall be borne by the administrator for the courts.

Sec. 10. Section 12, chapter 340, Laws of 1981 as amended by section 13, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE JUDICIAL COUNCIL

General Fund Appropriation	\$	((264,000))
		<u>129,000</u>

The appropriation in this section is subject to the following condition or limitation: \$129,000 is provided solely for fiscal year 1982.

Sec. 11. Section 13, chapter 340, Laws of 1981 as amended by section 14, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR

General Fund Appropriation—State	\$	((3,195,000))
		<u>3,099,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$2,851,000 of the state general fund appropriation may be spent for executive operations.

(2) A maximum of \$193,000 of the state general fund appropriation may be spent for extradition expenses to carry out the provisions of RCW 10.34.030 providing for the return of fugitives by the governor, including prior claims and for extradition-related legal services as determined by the attorney general.

(3) A maximum of \$151,000 of the state general fund appropriation is provided solely for mansion maintenance, and no other moneys may be expended for this purpose.

(4) A maximum of \$1,000 of the state general fund appropriation may be spent for implementation of the corporate responsibilities award program under which appropriate recognition shall be awarded by the governor to those private businesses

or corporations which contribute at least two percent of their before-tax profit to programs which result in a reduction in state government costs, especially those programs which aid the poor and infirm.

Sec. 12. Section 14, chapter 340, Laws of 1981 as amended by section 15, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE GOVERNOR—SPECIAL APPROPRIATIONS

General Fund Appropriation—State	\$ ((137,236,000))
	<u>112,569,000</u>
General Fund Appropriation—Federal	\$ ((24,211,000))
	<u>20,446,000</u>
Special Fund Salary and Insurance Contribution	
Increase Revolving Fund Appropriation	\$ ((48,687,000))
	<u>40,972,000</u>
Total Appropriation	\$ ((210,134,000))
	<u>173,987,000</u>

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

(1) A maximum of \$((~~2,247,000~~)) 2,180,000 is for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency.

(2) (a) A maximum of \$((~~129,349,000~~)) 100,984,000 of general fund moneys (including \$((~~19,049,000~~)) 15,284,000 in federal funds) may be expended to implement salary increases, effective October 1, 1981, averaging 7.5% for higher education classified employees and 7.2% for commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board); and effective ((~~February 1~~)) June 30, 1983, a salary increase averaging 7.0% for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board): PROVIDED, That the October 1, 1981, salary increase for higher education classified employees and state personnel board classified and exempt employees shall implement the salary ranges adopted by the higher education and state personnel boards resulting from the 1980 salary survey (catch-up results): PROVIDED, That increases granted in this subsection for higher education faculty and administrative exempt employees are inclusive of increments: PROVIDED FURTHER, That exclusive of merit pool and Washington state university (143) increase funds no higher education institution or community college district may grant from any fund source whatsoever any salary increases greater than that provided in this subsection.

(b) A maximum of \$29,851,000 of general fund moneys (including \$5,162,000 in federal funds) may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$22,339,000 of this amount (including \$3,947,000 in federal funds) may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$7,512,000 of this amount (including \$1,215,000 in federal funds) may be expended to effect, beginning July 1, 1982, an increase in the

state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee.

(c) A maximum of \$((39,155,000)) 31,440,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect salary increases for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board) calculated in accordance with the procedures outlined in subsection (2)(a) of this section.

(d) A maximum of \$9,532,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$7,289,000 of this amount may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$2,243,000 of this amount may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee. Any moneys resulting from a dividend or refund attributable to the experience of an insurance or health care plan calculated at the end of the contract year shall not be used to increase employee insurance benefits over the level of services provided on the effective date of this 1982 act.

(e) To facilitate payment of state employee salary increases from special funds and to facilitate payment of state employee insurance benefit increases from special funds, the state treasurer is directed to transfer sufficient income from each special fund to the special fund salary and insurance contribution increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

(f) Notwithstanding any other provision of this subsection (2), Walla Walla community college may fund additional actual increments or their equivalents in salaries for each year of the biennium to equalize salaries to the state-wide average salaries as reflected by the average base salary of the annually contracted professional personnel of the Washington community colleges.

Sec. 13. Section 15, chapter 340, Laws of 1981 as amended by section 16, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE LIEUTENANT GOVERNOR

General Fund Appropriation	\$	((203,000))
		<u>197,000</u>

Sec. 14. Section 16, chapter 340, Laws of 1981 as amended by section 17, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund Appropriation	\$	((3,800,000))
		<u>3,730,000</u>

Archives and Records Management Account Appropriation	\$	1,135,000
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Total Appropriation	\$	((4,935,000))
		<u>4,865,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$923,000 is provided solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising

of state measures, and the publication and distribution of the voters and candidates pamphlet.

(2) \$559,000 is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures.

(3) ~~\$(25,000)~~ 24,000 is provided solely for costs associated with redistricting.

NEW SECTION. Sec. 15. There is added to chapter 340, Laws of 1981 a new section to read as follows:

FOR THE GOVERNOR—MINORITY AND WOMEN'S AFFAIRS

General Fund Appropriation \$ 100,000

The appropriation in this section is subject to the following condition or limitation: The governor shall establish within the office of the governor an office of minority and women's affairs. The purpose of this office is to insure equal opportunity for all citizens of the state and to address the unique and special problems of women and minority groups.

Sec. 16. Section 17, chapter 340, Laws of 1981 as amended by section 18, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS, THE COMMISSION ON ASIAN-AMERICAN AFFAIRS, AND THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

Commission on Mexican-American Affairs

General Fund Appropriation \$ ~~((105,000))~~
55,000

Commission on Asian-American Affairs

General Fund Appropriation \$ ~~((105,000))~~
55,000

Governor's Office of Indian Affairs

General Fund Appropriation \$ ~~((105,000))~~
55,000

Total Appropriation \$ ~~((315,000))~~
165,000

The appropriations in this section are subject to the following condition (and) or limitation: ((The position of executive director for each commission or office shall be retained. The agencies for which appropriations are provided by this section shall jointly fund a common secretarial/clerical pool and consolidate their respective office spaces upon expiration of current lease agreements)) The appropriations in this section are provided solely for fiscal year 1982.

Sec. 17. Section 18, chapter 340, Laws of 1981 as amended by section 19, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER

Motor Vehicle Fund Appropriation—State \$ 37,000

State Treasurer's Service Fund Appropriation \$ ~~((4,930,000))~~
5,124,000

Total Appropriation \$ ~~((4,967,000))~~
5,161,000

The appropriations in this section are subject to the following condition or limitation: \$194,000 of the state treasurer's service fund appropriation is provided solely for the development, implementation, and operation of an integrated agency financial reporting system with the treasury accounting system.

Sec. 18. Section 19, chapter 340, Laws of 1981 as amended by section 20, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE AUDITOR

General Fund Appropriation—State \$ ~~((1,906,000))~~

	1,849,000
General Fund Appropriation—Federal	\$ 352,000
General Fund Appropriation—Private/Local	\$ 48,000
Motor Vehicle Fund Appropriation	\$ 267,000
Auditing Services Revolving Fund Appropriation	\$ 5,265,000
Total Appropriation	\$ (7,838,000)
	<u>7,781,000</u>

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

(1) The division of municipal corporations shall give high priority to examining the accuracy of local school district reporting of staff mix and enrollment data for state reimbursement purposes. Beginning with the 1981-82 school year, any significant inaccuracies shall be reported to the attorney general and the superintendent of public instruction. The superintendent shall take action to recover any overpayment which results from the reporting of inaccurate data.

(2) No general fund moneys may be expended for the training of municipal auditors or other local personnel.

(3) Legal costs incurred by the attorney general to insure compliance with the findings of the state auditor in state agency audits shall be charged to the agency that received the audit. ~~((Costs to audited agencies shall not exceed the budget preparation estimates provided by the state auditor to the committees on ways and means of the senate and house of representatives which were based on the governor's requested staff level plus seven positions.))~~

(4) The total of all billings submitted to state agencies shall reflect a 10.1% reduction from the original budget preparation estimates submitted to the ways and means committee of the senate and house of representatives in the 1981 regular session of the legislature. Such reduction shall be offset by an amount not to exceed \$338,000 which reflects the impact of salary and insurance costs not provided to the Auditing Services Revolving Fund in the original budget.

Sec. 19. Section 22, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

Net savings of general fund—state moneys realized by agencies as a result of 10.1% reductions in billings to agencies from the following funds shall be placed in reserve status by the director of financial management and shall not be expended until appropriated by law:

(1) Auditing services revolving fund;

(2) ~~((Legal services revolving fund;~~

~~(3))~~ (3) General administration facilities and services revolving fund (excluding the portion reflecting utilities);

~~((4))~~ (4) Department of personnel service fund; and

~~((5))~~ (5) Higher education personnel board service fund.

Sec. 20. Section 20, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund Appropriation	\$ ((4,300,000))
	3,956,000
Legal Services Revolving Fund Appropriation	\$ ((19,513,000))
	<u>18,537,000</u>
Total Appropriation	\$ ((23,813,000))
	<u>22,493,000</u>

((FTE Staff Years—Fiscal Year 1982	317.1
FTE Staff Years—Fiscal Year 1983	320.1)

The appropriations in this section are subject to the following conditions ~~((or))~~ and limitations:

(1) \$150,000 of the general fund appropriation is provided solely for the continuation of the crime watch program.

(2) Net savings of state general fund moneys realized by agencies as a result of the 5% reduction in legal services revolving fund billings shall be placed in reserve status by the director of financial management. These funds shall not be expended until appropriated by law.

Sec. 21. Section 21, chapter 340, Laws of 1981 as amended by section 24, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund Appropriation—State	\$	((12,752,000))
		12,674,000
General Fund Appropriation—Federal	\$	6,300,000
Total Appropriation	\$	((19,052,000))
		18,974,000

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

(1) \$675,000 of the general fund—state appropriation is provided solely for the completion of the higher education personnel/payroll system.

(2) \$70,000 of the general fund—state appropriation is provided solely for the payment of assessments against state-owned land.

(3) ~~\$(1,568,000))~~ 1,821,000 of the general fund—state appropriation is provided solely for the completion, implementation, and operation of the state budget and accounting systems development.

(4) A maximum of \$1,553,000 of the general fund—state appropriation is provided ~~((solely))~~ for payment of supplies and services furnished in previous biennia.

(5) \$5,000 of the general fund—state appropriation is provided solely for payment of claims against the state.

(6) \$5,000 of the general fund—state appropriation is provided solely as state matching funds for federal law enforcement assistance administration (LEAA) carry forward funds for local government projects.

NEW SECTION. Sec. 22. There is added to chapter 340, Laws of 1981 a new section to read as follows:

FOR THE PERSONNEL APPEALS BOARD

Department of Personnel Service Fund Appropriation	\$	330,000
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Sec. 23. Section 24, chapter 340, Laws of 1981 as amended by section 26, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DATA PROCESSING AUTHORITY (OR SUCCESSOR AGENCY)

General Fund Appropriation	\$	((398,000))
		386,000
Data Processing Revolving Fund Appropriation	\$	418,000
Total Appropriation	\$	804,000

The appropriations in this section ~~((is))~~ are subject to the following conditions ~~((or))~~ and limitations: ~~(\$398,000 is provided solely for one year. Funding for the second fiscal year of the biennium shall be considered in the 1982 regular session of the legislature based upon interim recommendations.)~~

(1) The general fund appropriation is provided solely for fiscal year 1982.

(2) The data processing revolving fund appropriation is provided solely for fiscal year 1983. In making expenditures from this appropriation, the agency shall first exhaust all available funds in the equipment pool account within the data processing revolving fund before expending any other moneys in the revolving fund. After the fund balance in the equipment pool account has been expended, the data processing

authority shall bill and collect from the service centers an amount equal to the remaining appropriation authority under this section and any applicable salary and benefit increase allocation.

Sec. 24. Section 25, chapter 340, Laws of 1981 as amended by section 27, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMITTEE FOR DEFERRED COMPENSATION

General Fund Appropriation \$ ~~((31,000))~~
30,000

Sec. 25. Section 26, chapter 340, Laws of 1981 as amended by section 28, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund Appropriation \$ ~~((36,493,000))~~
36,074,000

General Fund—State Timber Tax Reserve Account
 Appropriation \$ 2,794,000
 Motor Vehicle Fund Appropriation \$ 110,000
 Total Appropriation \$ ~~((39,397,000))~~
38,978,000

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

(1) \$393,000 of the state timber tax reserve account appropriation is provided solely for reimbursement to counties with timberland for the costs of establishing forest land grades for each parcel of classified or designated forest land.

(2) The department of revenue shall maintain advisory appraisals as required by RCW 84.41.060.

(3) The department of revenue shall add one full time equivalent staff year for the 1982 fiscal year only to help conduct a new study of the financial impact of tax exemptions and a review of the effectiveness and problems of the current use law.

(4) That portion of the general fund—state appropriation which is allotted to the inheritance tax division for fiscal year 1983 is reduced by \$125,000 in this 1981 amendatory act in recognition of the passage of Initiative No. 402 and the resultant workload decrease in the inheritance tax division.

(5) \$~~((2,444,000))~~ 2,310,000 of the general fund—state appropriation is provided solely for costs incurred by the excise tax division and the interpretation and appeals division as a result of the expanded effort at revenue recovery and appeals resolution.

(6) The department of revenue shall make every effort to implement the 1982 revisions to this section by making program reductions which will cause minimal loss of state revenues.

Sec. 26. Section 27, chapter 340, Laws of 1981 as amended by section 29, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF TAX APPEALS

General Fund Appropriation \$ ~~((885,000))~~
858,000

Sec. 27. Section 28, chapter 340, Laws of 1981 as amended by section 30, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation—State \$ ~~((6,505,000))~~
6,310,000
 General Fund Appropriation—Private/Local \$ 89,000
 General Fund—Motor Transport Account Appropria-
 tion \$ 8,688,000
 General Administration Facilities and Services Revolv-
 ing Fund Appropriation \$ 13,378,000

Total Appropriation \$ ~~((28,660,000))~~
28,465,000

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

(1) The department of general administration shall not expend any of the general fund appropriation for the replacement of motor transport division vehicles.

(2) The department of general administration shall provide insurance coverage for all state-owned, state-chartered, state-rented, or state employee-owned aircraft being used on authorized state business, including passengers. This coverage shall be in force for all such aircraft whether piloted by a state employee or employees of a charter or rental firm. The department may require reimbursement for premium costs from user agencies on a pro rata basis.

(3) The department of agriculture shall transfer \$21,000 from its local fund accounts to the motor transport account. The state treasurer shall transfer to the motor transport account \$29,000 from the grain and hay inspection fund, \$8,000 from the community college capital projects account, and \$24,000 from the highway safety fund. These transfers shall be in accordance with schedules provided by the office of financial management.

Sec. 28. Section 29, chapter 340, Laws of 1981 as amended by section 31, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE INSURANCE COMMISSIONER

General Fund Appropriation \$ ~~((7,189,000))~~
7,043,000

The appropriation in this section is subject to the following condition or limitation: \$70,000 is provided solely for work associated with the revisions to the valuation and nonforfeiture statutes as contained in chapter ... (Engrossed Substitute Senate Bill No. 4201), Laws of 1982 1st ex. sess.

Sec. 29. Section 30, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premiums tax distribution \$ 4,360,000

General Fund Appropriation for refund of deferred property tax \$ ~~((33,000))~~
123,000

General Fund Appropriation for public utility district excise tax distribution \$ ~~((12,673,000))~~
13,205,000

General Fund Appropriation for prosecuting attorneys' salaries \$ 1,449,000

General Fund Appropriation for motor vehicle excise tax distribution \$ ~~((56,632,000))~~
55,332,000

General Fund Appropriation for local mass transit assistance \$ ~~((104,279,000))~~
98,779,000

General Fund Appropriation for camper and travel trailer excise tax distribution \$ 1,940,000

General Fund Appropriation for local fire protection costs \$ 720,000

General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution \$ 728,000

Liquor Excise Tax Fund Appropriation for liquor excise tax distribution	\$	((22,389,000))	<u>20,357,000</u>
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution	\$	172,480,000	
Liquor Revolving Fund Appropriation for liquor profits distribution	\$	((52,775,000))	<u>53,600,000</u>
State Timber Tax Account 'A' Appropriation for distribution to "Timber" counties	\$	((21,400,000))	<u>17,570,000</u>
State Timber Tax Reserve Account Appropriation for distribution to "Timber" counties	\$	((56,000,000))	<u>46,870,000</u>
Total Appropriation	\$	((507,858,000))	<u>487,513,000</u>

Sec. 30. Section 33, chapter 340, Laws of 1981 as amended by section 33, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund Appropriation	\$	((897,000))	<u>870,000</u>
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Sec. 31. Section 36, chapter 340, Laws of 1981 as amended by section 35, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation	\$	((556,000))	<u>539,000</u>
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The appropriation in this section is subject to the following condition ~~(and)~~ or limitation ~~(s)~~: ~~((+))~~ The board of accountancy shall not restrict entrance to CPA examinations as a result of reductions in state funding.

~~((2) \$20,000 of this appropriation shall not be expended unless, by February 1, 1982, the board of accountancy has increased its CPA examination fees to the maximum level authorized under RCW 18.04.160.))~~

Sec. 32. Section 37, chapter 340, Laws of 1981 as amended by section 36, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE BOXING COMMISSION

General Fund Appropriation	\$	((64,000))	<u>62,000</u>
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Sec. 33. Section 40, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE LIQUOR CONTROL BOARD

Liquor Revolving Fund Appropriation	\$	((75,823,000))	<u>72,032,000</u>
((FTE Staff Years — Fiscal Year 1982			<u>1,355.0</u>
FTE Staff Years — Fiscal Year 1983			<u>1,354.9</u>

Sec. 34. Section 41, chapter 340, Laws of 1981 as amended by section 37, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PHARMACY BOARD

General Fund Appropriation	\$	((966,000))	<u>937,000</u>
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The appropriation in this section is subject to the following condition or limitation: No moneys appropriated in this section may be expended for continuation of the diversion investigation unit.

Sec. 35. Section 44, chapter 340, Laws of 1981 as amended by section 38, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF EMERGENCY SERVICES

General Fund Appropriation—State	\$	((1,005,000))
		975,000
General Fund Appropriation—Federal	\$	2,227,000
Total Appropriation	\$	((3,232,000))
		3,202,000

The appropriations in this section are subject to the following condition or limitation: \$242,000 of the general fund—state appropriation is provided solely to reimburse the federal emergency management agency for the state's share of costs of individual and family grants provided for disaster relief: PROVIDED, That the department of emergency services, in conjunction with the department of social and health services, will reinstate an appeal process to the federal emergency management agency with respect to the \$87,102 in audit exceptions relative to the 1977 floods.

Sec. 36. Section 45, chapter 340, Laws of 1981 as amended by section 39, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

General Fund Appropriation—State	\$	((6,330,000))
		6,140,000
General Fund Appropriation—Federal	\$	1,764,000
Total Appropriation	\$	((8,094,000))
		7,904,000

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

(1) \$279,000 of the general fund—state appropriation is provided solely for the continuation of the educational assistance grant program, of which a maximum of \$10,000 may be expended for administrative costs.

(2) \$32,000 of the general fund—state appropriation is provided solely for the Washington state guard.

(3) The military department shall make every effort to implement the 1982 revisions to this section by reducing programs whose funding does not affect the receipt of federal grants or contracts.

Sec. 37. Section 46, chapter 340, Laws of 1981 as amended by section 40, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund Appropriation	\$	((1,173,000))
		1,138,000

NEW SECTION. Sec. 38. There is added to chapter 340, Laws of 1981 a new section to read as follows:

The department of corrections may modify allotments to include transfers between the programs established within the department. The modifications shall not be made without prior approval of the office of financial management in consultation with the committees on ways and means of the senate and house of representatives.

Sec. 39. Section 48, chapter 340, Laws of 1981 as amended by section 42, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

General Fund Appropriation	\$	43,419,000
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The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$15,038,000 is provided solely to contract with nonprofit corporations to provide diversionary programs and operate and/or contract for work/training

release for convicted felons: PROVIDED, That \$999,000 of this appropriation is provided solely for pre-trial diversion and the continuation of the alternatives to street crime programs in Snohomish, Pierce and Clark counties. Such funds shall be distributed to the counties in a timely manner: PROVIDED FURTHER, That \$375,000 of this appropriation is provided solely for the continuation of 50 work/training release beds at the Progress House Association of Tacoma.

(b) \$2,479,000 is provided solely for intensive parole.

(c) \$21,777,000 is provided solely for probation and parole.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation \$ 149,390,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The department of corrections shall present to the legislature by October 12, 1981, a comprehensive institutional educational policy. This report shall explain the basis for selection of educational programs and participation and shall outline program and payment policies for contracting for educational services. The report shall include, but is not limited to, a detailing by month for each institution of the programs, program goals, staffing, costs per offering, and actual and estimated inmate participation.

(b) It is the assumption of the legislature that the appropriation in this subsection initially provides:

(i) \$24,731,000 for the Washington Corrections Center, excluding funds related to court orders under Hoptowit v. Ray, No. 79-359 (E. D. Wash.);

(ii) \$38,312,000 for the Washington State Penitentiary, excluding funds relating to court orders under Hoptowit v. Ray, No. 79-359 (E. D. Wash.);

(iii) \$1,010,000 for the Monroe mental health unit;

(iv) \$24,990,000 for the Washington State Reformatory;

(v) \$8,269,000 for the Purdy Treatment Center for Women;

(vi) \$20,816,000 for the McNeil Island Penitentiary;

(vii) \$9,090,000 for the Special Offenders Center;

(viii) Funds for other costs associated with honor camps and the Pine Lodge Corrections Center(~~and~~).

(3) PROGRAM SUPPORT

General Fund Appropriation \$ ~~((+8,044,000))~~
14,344,000

General Fund—Institutional Impact Account Appropriation \$ 525,000

Total Appropriation \$ ~~((+8,569,000))~~
14,869,000

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

(a) \$500,000 is provided solely for individual legal services. There shall be no solicitation of legal action and all informal means of resolving disputes shall be utilized. These funds shall not be used to support class action litigation.

(b) ~~\$((+102,000))~~ 2,902,000 is provided solely for costs directly resulting from the decision in Hoptowit v. Ray, No. 79-359 (E. D. Wash.): PROVIDED, That no expenditure of funds may be made without the signature of the agency's assistant attorney general on the authorizing document.

(c) ~~\$((+057,000))~~ 1,557,000 for fiscal year 1982 and \$4,902,000 for fiscal year 1983 are provided solely to address population overrun in excess of current bed capacity. Such funds shall be released only with the approval of the director of financial management in consultation with the committees on ways and means of the senate and house of representatives.

(d) \$1,079,000 is provided solely for the one-time cost impact to communities associated with locating additional state correctional facilities.

(4) Funds may be transferred from program support to institutional services for costs associated with *Hoptowit v. Ray*, No. 79-359 (E. D. Wash.), and population overruns to the extent provided for in this section.

(5) The department of corrections shall in conjunction with the office of financial management and the committees on ways and means of the senate and house of representatives develop staff-to-inmate ratios or a system of post assignment for each correctional unit by August 1, 1981. By September 1, 1981, a written report on proposed staffing levels shall be presented to the legislature comparing this staffing to prior biennial levels and discussing its programmatic and fiscal implications.

Sec. 40. Section 50, chapter 340, Laws of 1981 as amended by section 44, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
MENTAL HEALTH PROGRAM**

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	((53,186,000))
		<u>52,911,000</u>
General Fund Appropriation—Federal	\$	((14,821,000))
		<u>14,759,000</u>
General Fund Appropriation—Local	\$	922,000
Total Appropriation	\$	((68,929,000))
		<u>68,592,000</u>

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

(a) ~~\$((49,212,000))~~ 48,948,000 of which ~~\$((34,815,000))~~ 34,613,000 is from the general fund—state appropriation is provided solely for community mental health services. Of this amount, \$1,150,000 of the general fund—state appropriation is provided solely for 90 new residential treatment facility beds: PROVIDED, That Substitute House Bill No. 353 is passed during the 1981 legislative session: PROVIDED FURTHER, That if Substitute House Bill No. 353 should not pass, the funds provided for these beds shall be transferred to the institutional category of the mental health divisions appropriation. These beds are to be phased in according to the following schedule: 30 beds available January 1, 1982; an additional 30 beds available July 1, 1982; and an additional 30 beds available January 1, 1983. The department of social and health services shall contract for these beds at a rate not exceeding \$35.00 per day. These beds shall serve the chronically mentally ill.

(b) ~~\$((19,717,000))~~ 19,644,000 of which ~~\$((18,371,000))~~ 18,298,000 is from the general fund—state appropriation is provided solely for Involuntary Treatment Act costs. Up to \$2,200,000 of the general fund—state appropriation is provided for 60 new evaluation and treatment beds. These beds are for 72-hour and 14-day commitments. All 60 beds shall be available no later than January 1, 1983. The department of social and health services shall contract for these beds at a rate not to exceed \$50.00 per day.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	77,511,000
General Fund Appropriation—Federal	\$	5,085,000
Total Appropriation	\$	82,596,000

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

(a) \$49,931,000, of which \$47,464,000 is from state funds, is provided solely for Western State Hospital.

(b) \$24,410,000, of which \$22,717,000 is from state funds, is provided for Eastern State Hospital.

(c) \$4,856,000, of which \$4,105,000 is from state funds, is provided solely for the PORTAL program at the Northern State facility. The secretary of social and health services shall prepare a report for submittal to the legislature by October 1, 1982, on the feasibility and method for implementing the residential treatment program utilized by PORTAL, in communities around the state.

(d) \$3,399,000, of which \$3,225,000 is from state funds, is provided solely for the child study and treatment center.

(e) Upon completion of the new hospital beds at the state hospitals, the department may, by contract, allow other public agencies to utilize the beds made surplus by the opening of the new facility if those agencies provide the funds to cover the full cost of such operation. The hospital shall account for these patients separately from state-supported patients. The care of these patients shall not be subject to the staff-to-patient ratio required in this act.

(3) SPECIAL PROJECTS

General Fund Appropriation—State	\$	1,410,000
General Fund Appropriation—Federal	\$	320,000
Total Appropriation	\$	1,730,000

The appropriations in this subsection are subject to the following condition or limitation: \$579,000 from the general fund—state appropriation is provided solely for the continuation of the case management projects in Snohomish, King, Pierce, and Clark counties, and such other counties as funds allow: PROVIDED, That each county receiving these funds shall develop a method of funding case management within its 1983-85 grant-in-aid awards.

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$	1,851,000
General Fund Appropriation—Federal	\$	549,000
Total Appropriation	\$	2,400,000

Sec. 41, Section 51, chapter 340, Laws of 1981 as amended by section 45, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
DEVELOPMENTAL DISABILITIES PROGRAM**

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	((47,179,000))
		46,778,000
General Fund Appropriation—Federal	\$	9,434,000
Total Appropriation	\$	((56,613,000))
		56,212,000

The appropriations in this subsection are subject to the following condition ~~((and))~~ or limitation: \$1,000,000 of which \$500,000 is from federal funds is provided solely for the fragile children's program to be implemented during fiscal year 1982: PROVIDED, That a maximum of \$70,000 of these moneys may be expended for start-up costs for group homes: PROVIDED, That up to \$35,000 may be expended to develop a Title XIX waiver plan for community services. If the fragile children's program is not developed by January 1, 1983, then these funds shall revert to the general fund except for those funds expended for group home start-up costs and the Title XIX waiver.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((84,028,000))
		83,528,000
General Fund Appropriation—Federal	\$	49,036,000

Total Appropriation	\$	((133,064,000))
		<u>132,564,000</u>

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

(a) The department of social and health services in conjunction with the superintendent of public instruction and a legislative study committee shall study the services provided by the School for the Deaf and the School for the Blind. The study shall be prepared in consultation with the parents of students enrolled in these schools as well as members of the deaf and blind community. The study shall include the role these schools play in the provision of education to sensory handicapped pupils in the state. The study shall further include an assessment of the advantages and disadvantages of continuing the operation of the schools; changing the operation of the schools; and closing the schools and serving the students through public schools' special programs. The report shall be completed and submitted to the legislature for review by December 30, 1981.

(b) ~~(((\$6,781,000 is provided solely for the School for the Deaf, of which \$3,356,000 is for fiscal year 1982 and \$3,424,000 is for fiscal year 1983. \$4,529,000 is provided solely for the School for the Blind, of which \$2,256,000 is for fiscal year 1982 and \$2,273,000 is for fiscal year 1983.~~

(c)) It is the assumption of the legislature that the appropriations in this subsection initially provide:

(i) \$32,544,000 for the Fircrest School to operate at a biennial average daily population of 491;

(ii) \$15,264,000 for the Interlake School to operate at a biennial average daily population of 248;

(iii) \$34,237,000 for the Rainier School to operate at a biennial average daily population of 531;

(iv) \$24,651,000 for Lakeland Village to operate at a biennial average daily population of 359;

(v) \$10,020,000 for the Yakima Valley School to operate at a biennial average daily population of 148;

(vi) \$3,921,000 for the Francis Haddon Morgan Children's Center to operate at a biennial average daily population of 55; and

(vii) \$1,117,000 for the Cerebral Palsy Center to operate at a biennial average daily population of 16.

(3) SPECIAL PROJECTS

General Fund Appropriation—State	\$	984,000
General Fund Appropriation—Federal	\$	2,397,000
Total Appropriation	\$	3,381,000

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$	3,056,000
General Fund Appropriation—Federal	\$	227,000
Total Appropriation	\$	3,283,000

Sec. 42. Section 52, chapter 340, Laws of 1981 as amended by section 46, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—

NURSING HOMES PROGRAM

General Fund Appropriation—State	\$	((169,475,000))
		<u>167,275,000</u>
General Fund Appropriation—Federal	\$	((169,527,000))
		<u>167,327,000</u>
Total Appropriation	\$	((339,002,000))
		<u>334,602,000</u>

The appropriations in this section are subject to the following condition or limitation: This appropriation assumes passage of Senate Bill No. 3765 and a two-year delay of implementation of chapter 74.46 RCW.

Sec. 43. Section 53, chapter 340, Laws of 1981 as amended by section 47, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
INCOME MAINTENANCE GRANTS PROGRAM**

General Fund Appropriation—State	\$	(308,220,000)
		308,198,000
General Fund Appropriation—Federal	\$	(319,215,000)
		319,194,000
Total Appropriation	\$	((627,435,000))
		627,392,000

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

(1) \$20,000,000 is provided solely for implementation of the consolidated emergency assistance program to provide specifically directed cash or in-kind benefits to meet the specific emergent need(s) of the applicant. Aid may be provided for up to two months in any consecutive twelve-month period to low-income families with children who are ineligible for other state or federal assistance. It is the intent of the legislature that eligibility requirements shall be stricter than AFDC requirements. The department of social and health services shall immediately apply for waivers under Title XI, section 1115 of the federal social security act to allow federal matching funds to be used for the consolidated emergency assistance program as provided for in this section and in chapter 74.04 RCW (Senate Bill No. 4299).

(2) \$45,282,000 of the general fund—state appropriation is provided solely for income maintenance grants for the general assistance—unemployable program.

(3) The department of social and health services shall immediately evaluate federal proposals which are presently legal options to the states and implement those which are found to be cost-effective. In addition, the department shall seek waivers for any specific federal proposals which are cost-effective and are not now authorized. When waivers are obtained, changes shall be implemented. The department of social and health services shall provide proper notification, in accordance with state and federal laws and regulations, of any changes that are implemented. Furthermore, the department of social and health services shall draft rules to implement enacted changes to Title IV-A of the federal social security act prior to the issuance of federal regulations in order to avoid overexpenditure of state funds.

(4) The department of social and health services shall submit a report no later than November 2, 1981, to the committees on ways and means, social and health services, and human services of the senate and house of representatives detailing the implementation schedule and fiscal and program impact of these changes.

(5) It is the assumption of the legislature that the appropriations in this section initially provide:

- (a) \$44,220,000 from federal funds for energy assistance;
- (b) \$61,220,000 from federal funds for Indochinese refugees;
- (c) \$20,000,000 from the state general fund for the consolidated emergency assistance program;

(d) \$453,334,000 (including \$219,086,000 from the state general fund) for aid to families with dependent children, with a caseload assumption for fiscal year 1982 of 59,890 cases and a caseload assumption for fiscal year 1983 of 61,797 cases;

(e) \$31,103,000 from the state general fund for the supplemental security income state supplement;

(f) \$53,428,000 from the state general fund for general assistance, with a caseload assumption for fiscal year 1982 of 9,075 cases and a caseload assumption for fiscal year 1983 of 9,692 cases;

(g) \$2,034,000 from the state general fund for supplemental security income—additional requirements;

(h) \$2,116,000 from the state general fund for burial assistance;

(i) \$2,361,000 (including \$1,475,000 from the state general fund) for employment and training day-care; and

(j) \$2,468,000 (including \$247,000 from the state general fund) for work incentive payments.

(6) Any savings resulting from income maintenance caseload levels being lower than the departmental estimated caseloads as of February 9, 1982, and which are in excess of those savings assumed for grant adjustments, shall lapse at the end of each calendar quarter.

Sec. 44. Section 54, chapter 340, Laws of 1981 as amended by section 48, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
COMMUNITY SOCIAL SERVICES GRANTS PROGRAM

General Fund Appropriation—State	\$	((135,974,000))
		131,151,000
General Fund Appropriation—Federal	\$	((61,049,000))
		60,976,000
General Fund Appropriation—Local	\$	105,000
Total Appropriation	\$	((197,128,000))
		192,232,000

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

(1) ~~\$((45,868,000))~~ 41,511,000 of which \$16,044,000 is from federal funds is provided solely for the provision of chore services to persons at risk of institutionalization who meet the eligibility criteria in RCW ~~((74.08.540))~~ 74.08.541, and for the support of programs utilizing volunteers to provide chore services. ~~((Of that amount, \$28,568,000 is provided for))~~ Out of these moneys, a limited chore service program shall be provided in which services are provided solely on an hourly basis, with a monthly lid on chore service hours which may be authorized. ~~((12,800,000 is provided for))~~ Also out of these moneys, chore services shall be provided to clients in need of attendant care whose services are authorized on a monthly rate basis. The department of social and health services shall immediately seek waivers which allow the use of Title XX funds in a lidded program. ~~((2) \$1,698,000 is provided solely for the provision of))~~ Within available funds, the department of social and health services shall ensure that the portion of chore services provided in accordance with RCW 74.08.541 is sufficient to ensure that the client's remaining income after purchasing his or her share of chore services is not less than 30% of the state median income adjusted for family size. Chore services may additionally be provided out of these moneys on a case-by-case exception-to-policy basis to severely handicapped persons in need of attendant care whose income exceeds 30% of the state median income but does not exceed 57% of the state median income. Services may be provided under this subsection only to the extent necessary to allow the individual to remain in his or her own home, and no services may be authorized for more than ninety days at any one time.

~~((3))~~ (2) ~~\$((1,226,000))~~ 1,201,000 of the general fund—state appropriation is provided solely for long-term alcoholism beds.

~~((4))~~ (3) ~~\$((14,330,000))~~ 13,840,000 of the general fund—state appropriation is provided solely for implementation of the senior citizens services act. At least 7.0% of these funds shall be used to develop and implement programs which utilize

volunteer workers for the provision of chore services to persons whose need for chore services is not being met by the state chore service program.

~~((5))~~ (4) \$1,148,000 of the general fund—state appropriation is provided solely for the victims of domestic violence program.

~~((6))~~ (5) ~~\$(1,335,000))~~ 833,000 of the general fund—state appropriation, or so much thereof as may be necessary, is provided solely for the migrant day-care program.

~~((7))~~ (6) \$40,000 of the general fund—state appropriation in this subsection is provided solely to complete the child abuse demonstration project directed by RCW 74.13.200.

~~((8))~~ (7) \$600,000 is provided solely for a cost-shared day care program which serves low-income employed parents throughout the remainder of the biennium within the funds provided in this subsection.

(8) It is the assumption of the legislature that the appropriations in this section initially provide:

(a) \$15,851,000 (including \$11,559,000 from the state general fund) for alcoholism grants;

(b) \$5,475,000 (including \$4,590,000 from the state general fund) for detoxification;

(c) \$9,558,000 (including \$3,545,000 from the state general fund) for substance abuse grants;

(d) \$2,500,000 from federal funds for Indochinese refugees;

(e) \$17,642,000 from federal funds for aging services under Title III of the federal older Americans act;

(f) \$14,960,000 from the state general fund for the senior citizens services act;

(g) \$4,482,000 (including \$2,275,000 from the state general fund) for crisis residential centers;

(h) \$28,887,000 from the state general fund for congregate care facilities;

(i) \$45,072,000 (including \$38,120,000 from the state general fund) for foster care payments, with a caseload assumption of 5,433 for fiscal year 1982 and a caseload assumption of 5,327 for fiscal year 1983;

(j) \$8,931,000 (including \$1,758,000 from the state general fund) for child care payments;

(k) \$4,816,000 (including \$4,372,000 from the state general fund) for adoption support;

(l) \$43,698,000 (including \$24,132,000 from the state general fund) for chore services;

(m) \$1,148,000 from the state general fund for victims of domestic violence;

(n) \$831,000 (including \$150,000 from the state general fund) for adult day care;

(o) \$2,537,000 (including \$634,000 from the state general fund) for crisis intervention services;

(p) \$1,200,000 from the state general fund for adult family homes; and

(q) \$144,000 from the state general fund for nursing home discharge allowances.

Sec. 45. Section 55, chapter 340, Laws of 1981 as amended by section 49, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
MEDICAL ASSISTANCE GRANTS PROGRAM

General Fund Appropriation—State	\$	((246,389,000))
		253,219,000
General Fund Appropriation—Federal	\$	((212,923,000))
		<u>212,081,000</u>

Total Appropriation \$ ~~((459,312,000))~~
465,300,000

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

(1) \$43,999,000 of the general fund—state appropriation is provided solely for the medical care of individuals not eligible for categorical assistance. Eligibility standards and scope of service shall be determined by the department of social and health services.

(2) \$34,146,000 of the general fund—state appropriation is provided solely for the medical component of the general assistance—unemployable program.

(3) The legislature supports efforts to maximize the cost benefits of pre-paid risk-sharing contracts in the provision of medical services through health maintenance organizations (HMOs) and individual practice associations (IPAs). The department is directed to seek increased participation of recipients enrolled in these programs. The legislature further supports the use of a hospital reimbursement system based on prospectively established rates. The department shall cooperate with the hospital commission in determining the possible savings to the state of using such a system.

(4) The department of social and health services shall establish by rule a system to insure that these funds are not expended to cover persons who are already covered by private or public programs.

(5) \$7,700,000 of the general fund—state appropriation is provided solely to lower the deductible for medically indigent persons from \$1,500 per year to \$500 per year, effective April 1, 1982.

Sec. 46. Section 57, chapter 340, Laws of 1981 as amended by section 51, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
 VOCATIONAL REHABILITATION PROGRAM**

General Fund Appropriation—State	\$	((16,154,000)) 15,666,000
General Fund Appropriation—Federal	\$	27,468,000
Total Appropriation	\$	((43,622,000)) <u>43,134,000</u>

Sec. 47. Section 58, chapter 340, Laws of 1981 as amended by section 52, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
 ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

General Fund Appropriation—State	\$	((63,017,000)) 56,017,000
General Fund Appropriation—Federal	\$	44,191,000
General Fund—Institutional Impact Account Approp- riation	\$	75,000
Total Appropriation	\$	((107,283,000)) <u>100,283,000</u>

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

(1) \$3,187,000 of the general fund—state appropriation is provided solely for the integrated systems development project. This project shall include among its top priorities the development of a method for the identification of common information and the tracking of clients through all human service programs provided by the department of social and and health services. This project is subject to the following conditions:

(a) By October 1, 1982, the department of social and health services shall make reports available to the legislature that analyze client, service delivery, and service cost data across systems containing common client identifier information, including but not limited to Social Service Payment Systems, Medicaid Management Information Systems, and the Interactive Terminal Input Systems/Client Financial Systems.

(b) \$686,000 of this sum shall be used to: (i) Establish a centralized data administration function; (ii) enhance and establish centralized data security and privacy controls; and (iii) implement a comprehensive data system methodology. By October 1, 1982, the department shall submit a report to the legislature that includes: (i) Plans for including each client, service cost, and service delivery information system in the department's data dictionary; (ii) an approach for unique identifications of individual service recipients, service recipient households, and service recipient families, and for the incorporation of such in each client, service cost, and service delivery information system; and (iii) plans for extracting data from those systems which include unduplicated recipient counts and service histories.

(c) These systems shall meet the following criteria: (i) Contain client, service cost, service delivery, or financial data; and (ii) lend themselves to rapid, flexible, and efficient data extraction and report generation. Those systems containing client information should include unique identifiers of individual recipients, recipient families, and recipient households with confidentiality of patient information and records as provided by state and federal law.

(d) A high priority of projects funded with this appropriation is the mental health information system for institutions and community mental health. This project shall be developed and completed during the 1981-83 biennium.

(2) In addition to any other reporting requirements, the department of social and health services shall report in writing to the committees on ways and means of the senate and house of representatives not later than January 15, 1982, and January 14, 1983, on actions taken to implement the conditions and limitations provided in sections 47 through 60 of this act and on the funds expended in support of each condition or limitation. If a department of corrections is created, it shall provide any reports required under this subsection for the conditions and limitations established in sections 47 and 48 of this act.

(3) The department of social and health services shall perform ongoing random samplings of those individuals affected by the elimination and/or reduction of public assistance programs and chore services as required by this budget. This study shall include the detailing of the following impacts: (a) The extent to which individuals are institutionalized as the result of loss of assistance or service; (b) the number of individuals who were able to find assistance from private sources to meet basic needs; (c) the number of individuals who became enrolled in another state or locally funded program: PROVIDED, That the department shall make regular reports to the legislature detailing the progress of the projects done under the authority of this section.

(4) The secretary of social and health services may transfer up to seven million dollars of general fund—state appropriations into this program from sections 49, 50, 51, 52, 53, 54, 55, 56, 57, and 59 of chapter 340, Laws of 1981, as amended, as savings occur in those programs.

Sec. 48. Section 59, chapter 340, Laws of 1981 as amended by section 53, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
COMMUNITY SERVICES ADMINISTRATION PROGRAM

General Fund Appropriation—State	\$	((+02,651,000))
		100,661,000
General Fund Appropriation—Federal	\$	((+27,224,000))

		<u>126,524,000</u>
General Fund Appropriation—Local	\$	48,000
Total Appropriation	\$	((229,923,000))
		<u>227,233,000</u>

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

(1) The department of social and health services shall monitor and determine the net reduction in income maintenance and medical costs as a result of the employment and training program.

(2) The department of social and health services in conjunction with the employment security department shall seek federal funding to support the placement incentive demonstration project.

(3) The department of social and health service in conjunction with the employment security department shall monitor and determine the net reduction in income maintenance and medical costs as a result of the placement incentive demonstration project.

(4) \$350,000 is provided solely for the sexual assault victims program.

(5) The department shall provide necessary assistance in each community service office to ensure that applicants or recipients of general assistance who may qualify for supplemental security income make prompt application for and actively pursue qualification for the supplemental security income program.

NEW SECTION. Sec. 49. There is added to chapter 340, Laws of 1981 a new section to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
SERVICES FOR THE BLIND**

General Fund Appropriation—State	\$	2,094,000
General Fund Appropriation—Federal	\$	5,254,000
Total Appropriation	\$	7,348,000

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

(1) The appropriations are provided solely for the purpose of providing services previously provided by the commission for the blind under chapter 74.16 RCW.

(2) The secretary of social and health services shall ensure that the appropriations are expended through the existing structure of the department.

Sec. 50. Section 61, chapter 340, Laws of 1981 as amended by section 54, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

General Fund Appropriation—State	\$	((14,727,000))
		<u>14,285,000</u>
General Fund Appropriation—Local	\$	2,496,000
Total Appropriation	\$	((17,223,000))
		<u>16,781,000</u>

Sec. 51. Section 62, chapter 340, Laws of 1981 as amended by section 55, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY

General Fund Appropriation—State	\$	((4,226,000))
		<u>4,206,000</u>
General Fund Appropriation—Federal	\$	28,152,000
Total Appropriation	\$	((32,378,000))
		<u>32,358,000</u>

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

(1) \$40,000 of the general fund—state appropriation is provided solely for City Fair—Seattle.

(2) In anticipation of significant reductions in federal support, the agency shall prepare a contingency expenditure plan which adjusts the allotments to reflect the anticipated loss of federal funds and required state matching funds. This contingency plan shall include necessary program changes and a redefinition of services. As a result of any loss of federal funds, subsequent state matching funds shall be placed in reserve. The contingency plan shall be transmitted to the legislature upon completion.

(3) A maximum of \$1,132,000 of the general fund—state appropriation is provided ((solely)) for the Mt. St. Helens Zone Enforcement/Assistance Project to expedite a coordinated three-county response to an emergency generated by tourist and public response to Mt. St. Helens volcano activity and/or disaster.

(4) \$107,000 of the general fund—state appropriation is provided solely for additional state support to continue the federally funded Section 8 low-income housing program.

Sec. 52. Section 63, chapter 340, Laws of 1981 as amended by section 56, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE HUMAN RIGHTS COMMISSION

General Fund Appropriation—State	\$	((2,488,000))
		<u>2,413,000</u>
General Fund Appropriation—Federal	\$	517,000
Total Appropriation	\$	((3,005,000))
		<u>2,930,000</u>

Sec. 53. Section 66, chapter 340, Laws of 1981 as amended by section 57, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation—State	\$	((5,862,000))
		<u>7,684,000</u>
General Fund—Crime Victims' Compensation		
Account Appropriation	\$	160,000
Accident Fund Appropriation—State	\$	39,401,000
Accident Fund Appropriation—Federal	\$	366,000
Electrical License Fund	\$	7,381,000
Medical Aid Fund Appropriation	\$	33,619,000
Plumbing Certificate Fund	\$	283,000
Pressure Systems Safety Fund	\$	827,000
Total Appropriation	\$	((87,899,000))
		<u>89,721,000</u>

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

(1) General fund expenditures for the building and construction program together with associated indirect cost and salary increase costs shall not exceed general fund revenue from the building and construction program.

(2) \$1,094,000 of the general fund—state appropriation is provided solely for the fiscal year 1982 employment standards and apprenticeship programs. Fiscal year 1983 funding shall be determined on the basis of a legislative budget committee review of the employment standards program within the criteria established in chapter 43.131 RCW and complete a report prior to December 15, 1981. Fiscal year 1983 funding of the apprenticeship program shall be determined on the basis of a legislative study to be completed by January 15, 1982.

(3) ~~\$((632,000))~~ 2,630,000 of the general fund—state appropriation is provided solely for victims of crime ~~((pension))~~ benefit payments.

Sec. 54. Section 67, chapter 340, Laws of 1981 as amended by section 58, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF PRISON TERMS AND PAROLES

General Fund Appropriation	\$	((2,198,000))
		<u>2,223,000</u>

Sec. 55. Section 68, chapter 340, Laws of 1981 as amended by section 59, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE HOSPITAL COMMISSION

General Fund Appropriation—State	\$	((489,000))
		<u>474,000</u>
General Fund Appropriation—Federal	\$	128,000
General Fund—Hospital Commission Account		
Appropriation	\$	915,000
Total Appropriation	\$	((1,532,000))
		<u>1,517,000</u>

The appropriations in this section are subject to the following condition or limitation: The hospital commission shall further review the benefits and possible savings to the state of utilizing a reimbursement system based on prospectively established hospital rates.

Sec. 56. Section 69, chapter 340, Laws of 1981 as amended by section 60, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation—State	\$	((2,050,000))
		<u>1,988,000</u>
General Fund Appropriation—Federal	\$	158,908,000
General Fund Appropriation—Local	\$	23,571,000
Administrative Contingency Fund Appropriation—		
Federal	\$	2,231,000
Unemployment Compensation Administration Fund		
Appropriation	\$	93,132,000
Total Appropriation	\$	((279,892,000))
		<u>279,830,000</u>

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

(1) \$729,000 of the general fund—state appropriation is provided solely for work orientation of ex-offenders.

(2) \$300,000 of the general fund—state appropriation is provided solely for a placement incentive demonstration project to serve AFDC-R recipients who have been on assistance for three consecutive years or more and have been determined to have the most severe barriers to employment.

The goal of this program is to establish a demonstration program that will use performance-based contracts to achieve full-time job placement and ensure long-term job retention. Not more than \$1,000 may be spent per participant and the payment schedule shall be structured to ensure incentive is built-in with twelve-month job retention for a minimum of 50% of the participants. The results of this program will be analyzed and evaluated and a written report will be submitted to the legislature by January, 1983. The report shall also contain comparative analysis of other similar employment and training programs including the employment and training program of the department of social and health services. The employment security department shall cooperate with the department of social and health services in seeking federal funds for this program and in monitoring savings in income maintenance and medical assistance as a result.

Job services employees and job services related activities which are federally funded are not subject to the reductions provided in this 1982 amendatory act.

NEW SECTION. Sec. 57. THE COMMISSION FOR THE BLIND. Section 70, chapter 340, Laws of 1981, section 61, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is hereby repealed.

Sec. 58. Section 71, chapter 340, Laws of 1981 as amended by section 62, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE JAIL COMMISSION

General Fund Appropriation	\$	(350,000)
		<u>339,000</u>
General Fund—Local Jail Improvement and Construction Account Appropriation	\$	511,000
Total Appropriation	\$	(861,000)
		<u>850,000</u>

Sec. 59. Section 72, chapter 340, Laws of 1981 as amended by section 63, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE ENERGY OFFICE

General Fund Appropriation—State	\$	(1,105,000)
		<u>1,005,000</u>
General Fund Appropriation—Federal	\$	4,641,000
Total Appropriation	\$	(5,746,000)
		<u>5,646,000</u>

Sec. 60. Section 73, chapter 340, Laws of 1981 as amended by section 64, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund Appropriation	\$	(68,000)
		<u>66,000</u>

Sec. 61. Section 74, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State	\$	(20,093,000)
		<u>17,515,000</u>
General Fund Appropriation—Federal	\$	14,380,000
General Fund—Special Grass Seed Burning Research Account Appropriation	\$	35,000
General Fund—Reclamation Revolving Account Appropriation	\$	580,000
General Fund—Litter Control Account Appropriation	\$	4,110,000
Stream Gaging Basic Data Fund Appropriation	\$	200,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26)	\$	54,315,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Reappropriation (Referendum 26)	\$	61,797,000
General Fund—Water Pollution Control Facilities Account Appropriation	\$	50,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27)	\$	7,284,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation (Referendum 27)	\$	4,700,000

General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.	\$	7,358,000
General Fund—Emergency Water Project Revolving Account: Reappropriation	\$	6,500,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38).....	\$	18,095,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39)	\$	84,780,000
Total Reappropriation	\$	72,997,000
Total New Appropriation.....	\$	((211,280,000))
		<u>208,702,000</u>
Total Appropriation	\$	((284,277,000))
		<u>281,699,000</u>
((FTE Staff Years— Fiscal Year 1982.....		509.5
FTE Staff Years— Fiscal Year 1983.....		512.1))

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

(1) On or before October 1, 1981, the department of ecology shall file with the committees on ways and means of the senate and house of representatives a master compilation by project type of those projects proposed for funding during the 1981–83 biennium from the appropriations for waste disposal facilities and water supply facilities. A separate compilation shall be supplied for each referendum bond issue. The department shall submit updates for the master compilation to the committees on ways and means at six-month intervals during the 1981–83 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering the projects. If the department proposes to change or modify any project list on the master compilation, it shall give the committees on ways and means thirty days' written notice of the change or modification prior to the expenditure or obligation of any funds appropriated by this section. The department shall immediately inform the committees of significant changes from historic federal funding levels for waste disposal facilities and water supply facilities.

(2) The appropriation from the state and local improvements revolving account—water supply facilities (Referendum 27) may be expended to pay up to 50% of the eligible cost of any project, as a grant or loan or combination thereof. Also, the department may lend up to 100% of the eligible costs of preconstruction activities and the department may provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(3) The appropriation from the state and local improvements revolving account—waste disposal facilities (Referendum 26) may be expended by the department to pay for up to 50% of the eligible cost of any project, as a grant or up to 100% as a loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(4) The appropriation from the state and local improvements revolving account—waste disposal facilities 1980 (Referendum 39) may be expended by the department to pay up to 75% of the eligible cost of any project as a grant or up to 100% as a loan, or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The

department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(5) \$130,000 of the general fund—state appropriation is provided solely to augment current department planned expenditures for the assessment of sources of, and abatement programs for, toxic substances in Commencement Bay and its waterways. Of that amount:

(a) \$90,000 is for field and laboratory studies and activities needed for determining the source or sources of toxic substances in Commencement Bay and its waterways; and

(b) \$40,000 is for collecting and analyzing samples of sediments from any deep water portions of Commencement Bay that have been utilized for waste disposal sites, for the purpose of identifying the nature and extent of the wastes deposited.

(6) \$1,306,000 of the general fund—state appropriation is provided solely for the vehicle emission inspection program.

Sec. 62. Section 75, chapter 340, Laws of 1981 as amended by section 66, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE ENVIRONMENTAL HEARINGS OFFICE

General Fund Appropriation	\$	((591,000))
		<u>573,000</u>

Sec. 63. Section 77, chapter 340, Laws of 1981 as amended by section 67, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund Appropriation—State	\$	((25,019,000))
		<u>24,349,000</u>

General Fund Appropriation—Federal	\$	185,000
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General Fund Appropriation—Private/Local	\$	467,000
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General Fund—Trust Land Purchase Account		
Appropriation	\$	((5,498,000))
		<u>5,573,000</u>

General Fund—Winter Recreation Parking Account		
Appropriation	\$	64,000

General Fund—Outdoor Recreation Account Approp-		
riation	\$	81,000

General Fund—Snowmobile Account Appropriation	\$	555,000
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Motor Vehicle Fund Appropriation	\$	600,000
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Total Appropriation	\$	((32,469,000))
		<u>31,874,000</u>

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

(1) A maximum of \$140,000 may be expended for continuation of contractual agreements with Grays Harbor and Pacific counties for beach patrol and law enforcement on North Beach, South Beach, and Long Beach.

(2) \$104,000 is provided solely for a manual campsite reservation system.

(3) A maximum of \$193,000 may be expended for a lifeguard program.

(4) A maximum of \$80,000 may be expended for the operation of the Goldendale Observatory.

(5) No moneys appropriated in this section may be expended for an agreement with the department of transportation for maintenance of the restroom at Snoqualmie Pass.

(6) \$700,000 may be expended for facility maintenance.

(7) \$162,000 may be expended for law enforcement, including an agreement with the Washington state patrol.

(8) \$75,000 is provided solely to determine the potential long-range alternative uses of the St. Edwards facility. The study shall include all potential uses, including

but not limited to recreation. The results of the study shall be reported to the legislature not later than December 1, 1981.

(9) \$36,000 of this general fund—state appropriation is provided solely to provide minimal heat, air circulation, water and maintenance necessary to prevent the deterioration of the St. Edwards facility.

(10) \$15,000 may be expended to implement the recommendations of the Mt. St. Helens recreation and tourism task group for the operation of Seaquest state park tourist information center and various viewpoints and sanitary facilities.

(11) \$75,000 is provided solely for the implementation of a boat moorage fee program at selected state parks to be determined by the state parks and recreation commission.

Sec. 64. Section 78, chapter 340, Laws of 1981 as amended by section 68, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund Appropriation—State	\$	((309,000))
		288,000
General Fund Appropriation—Federal	\$	205,000
Total Appropriation	\$	((514,000))
		493,000

Sec. 65. Section 80, chapter 340, Laws of 1981 as amended by section 69, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

General Fund Appropriation—State	\$	((8,190,000))
		8,095,000
General Fund Appropriation—Federal	\$	391,000
Motor Vehicle Fund Appropriation	\$	395,000
Total Appropriation	\$	((8,976,000))
		8,881,000

Sec. 66. Section 81, chapter 340, Laws of 1981 as amended by section 70, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

General Fund Appropriation—State	\$	((34,672,000))
		33,632,000
General Fund Appropriation—Federal	\$	5,777,000
General Fund Appropriation—Private/Local	\$	1,873,000
General Fund—Lewis River Hatchery Account		
Appropriation	\$	27,000
Total Appropriation	\$	((42,349,000))
		41,309,000

The appropriations in this section are subject to the following condition or limitation: \$211,000 of the general fund—state appropriation is provided solely for bait fish and ling cod enhancement efforts.

Sec. 67. Section 83, chapter 340, Laws of 1981 as amended by section 71, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation—State	\$	((21,418,000))
		20,775,000
General Fund Appropriation—Federal	\$	1,354,000
General Fund—ORV (Off-Road Vehicle) Account		
Appropriation	\$	1,711,000
General Fund—Forest Development Account Approp-		
riation	\$	16,669,000

General Fund—State Timber Tax Reserve Account		
Appropriation	\$	414,000
General Fund—Landowner Contingency Forest Fire		
Suppression Account Appropriation	\$	1,878,000
General Fund—Resource Management Cost Account		
Appropriation	\$	49,977,000
Total Appropriation	\$	(93,421,000)
		<u>92,778,000</u>

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

(1) \$1,782,000 of the general fund—state appropriation is provided solely for emergency fire suppression. The funds shall also be available for interfund loans with the landowner contingency forest fire suppression account.

(2) A maximum of \$1,997,000 of the state general fund appropriation shall be expended for the operation of the Clearwater, Olympic, Larch Mountain, Indian Ridge, Cedar Creek, Maple Lane, Naselle, and Mission Creek Honor Camps.

(3) Up to \$13,000,000 of the resource management cost account appropriation may be substituted by additional forest development account funds in excess of the appropriation. Any funds so replaced shall not be expended for any purpose.

~~(4) ((A maximum of \$1,832,000 of the general fund—state appropriation may be expended for the geology and earth resources program.~~

~~(5))~~ \$40,000 of the resource management cost account appropriation is provided solely for lake management.

~~((6))~~ (5) The department of natural resources shall provide a report on the urban lands program to the committees on ways and means of the house of representatives and the senate by December 1, 1981. The report shall include an inventory of urban lands, a management plan for each urban parcel, involvement in land use planning, and any other information necessary for policy determination.

Sec. 68. Section 84, chapter 340, Laws of 1981 as amended by section 72, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation—State	\$	(8,475,000)
		<u>8,221,000</u>
General Fund Appropriation—Federal	\$	777,000
General Fund—Feed and Fertilizer Account Approp-		
riation	\$	29,000
Fertilizer, Agricultural, Mineral and Lime Fund Appro-		
priation	\$	358,000
Commercial Feed Fund Appropriation—State	\$	311,000
Commercial Feed Fund Appropriation—Federal	\$	22,000
Seed Fund Appropriation	\$	913,000
Nursery Inspection Fund Appropriation	\$	270,000
Grain and Hay Inspection Fund Appropriation	\$	17,278,000
Total Appropriation	\$	(28,433,000)
		<u>28,179,000</u>

The appropriations in this section are subject to the following condition ~~((and))~~ or limitation: A maximum of \$13,000 of the general fund—state appropriation shall be expended for starling control.

Sec. 69. Section 85, chapter 340, Laws of 1981 as amended by section 73, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund Appropriation	\$	(9,412,000)
		<u>9,130,000</u>

General Fund—Architects' License Account Appropriation	\$	173,000
General Fund—Opticians' Account Appropriation	\$	33,000
General Fund—Optometry Account Appropriation	\$	81,000
General Fund—Professional Engineers' Account Appropriation	\$	478,000
General Fund—Real Estate Commission Account Appropriation	\$	3,444,000
General Fund—Board of Psychological Examiners Account Appropriation	\$	42,000
Game Fund Appropriation	\$	148,000
Highway Safety Fund Appropriation	\$	33,286,000
Motor Vehicle Fund Appropriation	\$	27,399,000
Total Appropriation	\$	((74,496,000)) 74,214,000

Sec. 70. Section 5, chapter 289, Laws of 1981 (uncodified) is amended to read as follows:

There is appropriated to the environmental policy commission from the general fund for the biennium ending June 30, 1983, the sum of ~~((fifty))~~ forty-two thousand dollars, to carry out the purposes of this act.

Sec. 71. Section 86, chapter 340, Laws of 1981 as amended by section 74, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)

General Fund Appropriation—State	\$	((12,314,000)) 11,945,000
General Fund Appropriation—Federal	\$	5,981,000
General Fund—Traffic Safety Education Account Appropriation	\$	460,000
Total Appropriation	\$	((18,755,000)) 18,386,000

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

(1) A maximum of \$460,000 may be expended for the state office administration of the traffic safety education program.

(2) The superintendent shall ensure that data reported by school districts for reimbursement and state budget planning purposes is accurate and timely.

(3) The Superintendent of Public Instruction shall not reduce the scoliosis screening program established under RCW 28A.31.132 through 28A.31.142 below the level established under chapter 340, Laws of 1981 as enacted during the 1981 regular session of the Legislature.

Sec. 72. Section 87, chapter 340, Laws of 1981 as amended by section 75, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION FORMULA FOR FISCAL YEARS 1982 AND 1983

General Fund Appropriation	\$	((2,583,966,000)) 2,584,868,000
General Fund—State Timber Tax Reserve Account	\$	4,000,000
Total Appropriation	\$	((2,587,966,000)) 2,588,868,000

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

(1) For purposes of this act and compliance with chapter 16, Laws of 1981, the superintendent of public instruction shall ensure that no district provides salary and

compensation increases from any fund source whatsoever in excess of those amounts for insurance benefit increases and/or for those percentages for salary increases as specified in this act and LEAP Document 4: PROVIDED, That for the 1981-82 school year, if a school district is in violation of chapter 16, Laws of 1981, or chapter 340, Laws of 1981, as now or hereafter amended, the superintendent shall withhold the lesser of five percent or an amount equal to the level of violation when applied to the district's respective basic education allocation, until such time as the school district comes into compliance: PROVIDED FURTHER, That for the 1982-83 school year, the superintendent shall withhold five percent of a district's respective basic education allocation if the school district violates any provision of this act or chapter 16, Laws of 1981 until such time as a school district comes into compliance: PROVIDED FURTHER, That provisions of any contract in force as of the effective date of chapter 16, Laws of 1981, for school years 1981-82 and 1982-83 that conflict with the provisions of this act may continue in effect and no funds shall be withheld as a result of such contracts: PROVIDED FURTHER, That provisions of a contract in compliance with chapter 16, Laws of 1981, and chapter 340, Laws of 1981, entered into prior ((to November —, 1981;)) to the effective date of this 1982 act, for the 1982-83 school year that conflicts with provisions of this ((1981)) 1982 amendatory act may continue in effect and no funds shall be withheld as a result of such contracts.

(2)(a) The appropriations in this section and allocation authorized by sections 87 through 91 of this act per annual average full time equivalent student shall constitute 100% of formula as provided in RCW 28A.41.130 as now or hereafter amended.

(b) If the system-wide staff mix factor exceeds 1.6182, the superintendent of public instruction shall make such adjustments as are required to remain within the amounts generated by the staff mix assumption for the total appropriation.

(3) Formula allocation of certificated staff units shall be determined as follows:

(a) One certificated staff unit for each average annual twenty full time equivalent kindergarten, elementary, and secondary students, excluding secondary vocational full time equivalent students enrolled in a vocational program approved by the superintendent of public instruction.

(b) One certificated staff unit for each average annual eighteen and three-tenths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction.

(c) For districts enrolling not more than one hundred average annual full time equivalent students (except as otherwise specified) and for small school plants within any school district, which small plants have been judged to be remote and necessary by the state board of education, certificated staff units shall be determined as follows:

(i) For grades K-6, for enrollments of not more than sixty annual average full time equivalent students, three certificated staff units;

(ii) For grades K-6, for enrollments above sixty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(iii) For grades 7 and 8, for enrollments of not more than twenty annual average full time equivalent students, one certificated staff unit;

(iv) For grades 7 and 8, for enrollment above twenty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(v) For each nonhigh school district having an enrollment of more than seventy annual average full time equivalent students and less than one hundred eighty students, operating a K-8 program or 1-8 program, an additional one-half of a certificated staff unit: PROVIDED, That the funds provided by this subparagraph shall

not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW:

(vi) For each nonhigh school district having an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, operating a K-6 or 1-6 program, an additional one-half of a certificated staff unit: **PROVIDED**, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(d) For districts operating high schools with enrollments of not more than three hundred average annual full time equivalent students, certificated staff units shall be determined as follows:

(i) Nine and one-half certificated staff units for the first sixty annual average full time equivalent students;

(ii) Additional certificated staff units based upon a ratio of one certificated staff unit per forty-three and one-half average annual full time equivalent students.

(4)(a) For nonemployee related costs with each certificated staff unit determined under subsection (3) (a), (c), and (d) of this section, there shall be provided a maximum of \$4,572 per staff unit in the 1981-82 school year and a maximum of \$4,966 per staff unit in the 1982-83 school year.

(b) For nonemployee related costs with each certificated staff unit determined under subsection (3)(b) of this section, there shall be provided a maximum of \$8,000 per staff unit in the 1981-82 school year and a maximum of \$8,641 per staff unit in the 1982-83 school year.

(5) Formula allocation of classified staff units shall be determined as follows:

(a) One classified staff unit per each three certificated staff units determined under subsection (3) (a), (c), and (d) of this section;

(b) One classified staff unit for each sixty full time equivalent vocational students enrolled; and

(c) For each nonhigh school district with an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit: **PROVIDED**, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(6) The superintendent of public instruction shall distribute a maximum of \$565,000 outside of the basic education allocation to school districts for fire protection districts at a rate of \$1.00 per year for each student attending a school located in an unincorporated area within a fire protection district as mandated by RCW 52.36.020; a maximum of \$280,000 for the 1981-82 school year, and a maximum of \$285,000 for the 1982-83 school year.

(7) The general fund—state appropriation contained in this section includes all funds received by the state pursuant to Title 16, section 500, United States Code (federal forest funds) which are distributed to the general fund for the benefit of public schools in accordance with RCW 36.33.110. Within thirty days of receipt within the state treasury, the superintendent of public instruction shall distribute such federal forest funds to each eligible school district in an amount not to exceed that which the district would have received in accordance with the basic education apportionment for the previous year. Funds determined to be in excess of that amount shall be distributed to the county for distribution to the school districts within the county in accordance with RCW 36.33.110; **PROVIDED**, That if the amount received by any district pursuant to this appropriation is less than the basic education allocation which the district would otherwise receive, the superintendent of public instruction shall allocate from basic education funds to the district an amount equal to the difference between the amount received under this appropriation and the amount the district would otherwise receive under the basic education act.

(8) The superintendent of public instruction may distribute a maximum of \$250,000 for school district emergencies outside of the basic education allocation.

(9) Not more than \$4,518,000 of the appropriation contained in this section shall be expended for districts which experience an enrollment decline in the 1981-82 school year from the 1980-81 base enrollment level and in the 1982-83 school year from the 1981-82 base enrollment level. The superintendent of public instruction shall distribute funds based on certificated staff units in the 1981-82 and 1982-83 school years to such districts on the basis of current school year enrollment plus one quarter of the amount of the enrollment decline from the prior school year level. The superintendent of public instruction, in ascertaining the full time equivalent enrollment under this section for any school district declining in enrollment at a rate of at least four percent, or three hundred full time equivalent students, whichever is less, from the immediately preceding school year, shall increase the enrollment as otherwise herein computed by twenty-five percent of the full time equivalent pupil enrollment loss from the previous school year.

(10) No cash balances or cash reserves of any school district may be confiscated by the state nor used as a local revenue deduction when apportionment funds from this section are distributed to school districts.

(11) The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of this 1982 act.

Sec. 73. Section 88, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

SALARY AND COMPENSATION DEFINITIONS

For purposes of sections 87 through 104 of this act, the following definitions apply:

(1) "LEAP Document 2" means the computer tabulation of 1980-81 derived base salaries for basic education certificated staff, 1980-81 average salaries (derived) for basic education classified staff and 1981-82 and 1982-83 salary increase percentages which was developed by the legislative evaluation and accountability program committee on April 20, 1981, at 2:02 p.m.

(2) "LEAP Document 4" means the computer tabulation of 1980-81 derived base salaries for basic education certificated staff, 1980-81 average salaries (derived) for basic education classified staff and 1981-82 and 1982-83 salary increase percentages which was developed by the legislative evaluation and accountability program committee on March 25, 1982 at 4:30 p.m.

(3) "State-supported staff" means state-funded staff in the following programs: Basic education (program 00), general instructional support (program 94), general support (program 97), secondary vocational education (program 30), handicapped (program 21) exclusive of any staff funded in the block grant program under section 100 of this act, vocational-technical institutes/adult education (programs 47 and 48), state institutions (program 46), educational service districts, and transportation (program 99).

~~((3))~~ (4) "Incremental fringe benefits" means 7% for certificated staff and 14% for classified staff, which percentage shall be applied to salary increases and is for employer contributions to old age survivor's insurance, workers' compensation, unemployment compensation, and retirement benefits under the public employees' retirement system (chapter 41.40 RCW).

Sec. 74. Section 92, chapter 340, Laws of 1981 as amended by section 76, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

SALARY AND COMPENSATION INCREASES

General Fund Appropriation \$ ~~((+52,352,000))~~
112,299,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Increases provided by this section shall be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(2) Salary and insurance benefit increase funds shall be allocated by the superintendent of public instruction as specified in this section and may be expended by school districts for any state funded activity.

~~(3) ((The 1982-83 salary and incremental fringe benefit increase allocation provided by this section shall be implemented on January 1, 1983, to each local school district on the basis of the RCW 28A.48.010 monthly schedule for the applicable months during the 1982-83 state fiscal year.~~

~~((4)) A maximum of \$((83,742,000)) 54,666,000 for the 1981-83 biennium may be expended for provision of basic education state-supported certificated staff salary increases as provided in LEAP Document 2 and concomitant incremental fringe benefits. Local school district percentage salary increases under this section, excluding incremental fringe benefits and including any relevant increases as a result of the provisions of subsection ~~((8))~~ (7) (b) and (c) of this section, shall not exceed the percentages specified in LEAP Document ~~((2))~~ 4.~~

~~((5)) (4) A maximum of \$((18,910,000)) 12,113,000 for the 1981-83 biennium may be expended for provision of basic education state-supported classified staff salary increases as provided in LEAP Document 2 and concomitant incremental fringe benefits. Local school district percentage increases provided under this section, excluding incremental fringe benefits and including any relevant increases as a result of the provisions of subsection ~~((8)(b))~~ (7)(b) of this section, shall not exceed the percentages specified in LEAP Document ~~((2))~~ 4.~~

~~((6)) (5) A maximum of \$((34,430,000)) 34,147,000 for the 1981-83 biennium may be expended for insurance benefit increases for state-supported basic education certificated and classified staff at a rate of \$26 per month per full time equivalent staff unit in 1981-82 and an additional \$16 per month in 1982-83.~~

~~((7)) (6) A maximum of \$((15,270,000)) 10,922,000 for the 1981-83 biennium for state-supported staff salary, insurance benefit increases, and concomitant incremental fringe benefits for educational service district staff, institutional education staff (program 46), vocational-technical institutes/adult basic education (programs 47 and 48), handicapped program staff (program 21) and transportation staff (program 99), to be distributed at rates and/or percentages not exceeding those specified for the basic education certificated or classified staff, as the case may be, of a district using the pertinent program derived base salary and staff mix factor for certificated staff and average salary for classified staff. Educational service district staff shall receive salary increases funded from this appropriation at the support level provided in section 99 of this act at a rate of 6.87% in 1981-82 and 7.35% in 1982-83, effective ~~((January +))~~ June 30, 1983, and insurance benefit increases at the same rate as provided in subsection ~~((6))~~ (5) of this section. Educational service districts, institutional education (program 46) and vocational-technical institutes/adult basic education (programs 47 and 48) shall receive first draw from this appropriation.~~

~~((8)) (7) For purposes of chapter 16, Laws of 1981, the following conditions and limitations shall apply:~~

~~(a) Districts may provide salary and insurance benefit increases for nonstate-supported activities at rates not exceeding those specified by LEAP Document ~~((2))~~ 4 for state-supported basic education certificated staff in each school year of the biennium for each district.~~

~~(b) That part of insurance benefits granted employees that are in excess of:~~

~~(i) \$121 per full time equivalent staff unit in 1981-82 shall constitute a portion of the salary increase specified in LEAP Document ~~((2))~~ 4: PROVIDED, That if insurance benefits granted employees in 1980-81 were in excess of \$121 per full time equivalent staff unit then only that part granted to employees for 1981-82 in~~

excess of the 1980-81 level shall constitute a portion of the salary increase specified in LEAP Document ((2)) 4.

(ii) \$137 per full time equivalent staff unit in 1982-83 shall constitute a portion of the salary increase specified in LEAP Document ((2)) 4: PROVIDED, That if insurance benefits granted employees in 1981-82 were in excess of \$137 per full time equivalent staff unit then only that part granted to employees for 1982-83 in excess of the 81-82 level shall constitute a portion of the salary increase specified in LEAP Document ((2)) 4.

(c) Increments granted by school districts to certificated staff shall constitute salary increase only to the extent that the aggregate of increments granted by a district in accordance with its salary schedule exceeds the aggregate of increments which are provided pursuant to LEAP Document 1.

~~((9))~~ (8) A district shall not be in violation of this section or chapter 16, Laws of 1981, as a result of corrections to the reported staff mix data in the 1980-81 ~~((or)),~~ 1981-82, or 1982-83 school years as long as the average salary for the 1981-82 and 1982-83 school year, respectively, does not exceed the average salary that would have been generated through consistent application of the incorrect base salary and staff mix in the 1981-82 and 1982-83 school year, respectively.

~~((10))~~ The salary increase for the 1982-83 fiscal year shall take effect January 1, 1983. (9) The 1982-83 salary increase shall be effective on June 30, 1983, and shall be allocated by the superintendent of public instruction as specified in LEAP Document 2.

(10) A maximum of \$451,000 shall be distributed to those school districts which after May 19, 1981, and prior to December 1, 1981, incurred a contractual obligation to pay any employee or employee group a salary increase during the 1982-83 school year and such obligation cannot be revoked or otherwise avoided by unilateral action of such districts: PROVIDED, That the total salary increase obligation is within the limits prescribed by LEAP Document 2: PROVIDED FURTHER, That the portion of salary increase funds provided to each qualifying district shall be distributed in the same proportion to the total provided herein as its irrevocable salary increase obligation is in proportion to the total irrevocable salary increase obligation of all qualifying districts: PROVIDED FURTHER, That the determination of revocability or avoidability of the obligation for purposes of receipt of the funds provided under this subsection shall be the sole and final determination of the state attorney general after reviewing the contract regardless of what may be determined by an arbitrator or court as to the school district's obligation to its employees.

(11) The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of this 1982 act.

Sec. 75. Section 94, chapter 340, Laws of 1981 as amended by section 77, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION

General Fund Appropriation \$ 147,300,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) A maximum of \$842,000 may be expended for regional transportation coordinators.
- (2) A maximum of \$74,000 may be expended for driver training.
- (3) (a) If House Bill No. 711 is enacted during the 1981 regular session of the legislature, activities eligible for state reimbursement in the 1982-83 school year are as follows:
 - (i) Handicapped student transportation;

(ii) Transportation of students to and from the nearest or next-nearest school in accordance with RCW 28A.41.160(1) as amended by Engrossed Substitute House Bill No. 711;

(iii) Costs of acquisition of approved transportation equipment in accordance with RCW 28A.41.160(2);

(iv) Transportation of students to and from two or more locations during the school day when necessary for the student to pursue his or her course of study: PROVIDED, That field trips and extracurricular transportation shall not be funded under this section.

(b) The superintendent of public instruction shall transfer \$6,000,000 from this appropriation to the appropriation provided for block grants in section 100 of this act if Engrossed Substitute House Bill No. 711 is enacted during the 1981 regular session of the legislature and if, on or after October 1, 1982, the superintendent certifies to the governor that its enforcement was not subject to a permanent or preliminary injunction at any time during the previous thirty days.

(4) The disbursements to local school districts from the appropriation in this section are subject to reductions under section 83 of this 1982 act.

Sec. 76. Section 95, chapter 340, Laws of 1981 as amended by section 78, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-TECHNICAL INSTITUTES

General Fund Appropriation	\$	((41,168,000))
		41,323,000

The appropriation in this section is subject to the following conditions and limitations:

(1) (a) The 1981-82 school year appropriation is based on an enrollment of 9,561 full time equivalent students at a state support level per student of \$2,063, not including salary and insurance benefit increases.

(b) The 1982-83 school year appropriation is based on an enrollment of 9,905 full time equivalent students at a state support level per student of \$2,136, not including salary and insurance benefit increases.

(2) A maximum of \$533,000 of this appropriation may be expended for adult education.

(3) The disbursements to local school districts from the appropriation in this section are subject to reductions under section 83 of this 1982 act.

Sec. 77. Section 96, chapter 340, Laws of 1981 as amended by section 79, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL FOOD SERVICE PROGRAMS

General Fund Appropriation—State	\$	6,432,000
General Fund Appropriation—Federal	\$	69,744,000
Total Appropriation	\$	76,176,000

The appropriations in this section are subject to the following condition or limitation: The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of this 1982 act.

Sec. 78. Section 97, chapter 340, Laws of 1981 as amended by section 80, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR HANDICAPPED COSTS

General Fund Appropriation—State	\$	119,921,000
General Fund Appropriation—Federal	\$	27,200,000
Total Appropriation	\$	147,121,000

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

(1) For the 1981-82 school year, the superintendent of public instruction shall allocate funds in accordance with LEAP Document 3.

(2) For the 1982-83 school year, the superintendent of public instruction shall allocate funds in accordance with LEAP Document 3 (Revised).

(3) Communication disordered, specific learning disabled, and behaviorally disabled students may be served from funds appropriated for the block grant program.

(4) The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of this 1982 act.

Sec. 79. Section 99, chapter 340, Laws of 1981 as amended by section 81, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund Appropriation—State	\$	((3,986,000))
		<u>3,946,000</u>
State Funding Sources	\$	3,373,000
Total Appropriation	\$	((7,359,000))
		<u>7,319,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) Educational service districts shall be apportioned funds based upon the following schedule:

	General Fund—State	State Funding Sources
E.S.D. No. 101	\$ ((505,000))	\$562,000
	<u>501,000</u>	
E.S.D. No. 105	\$ ((484,000))	\$269,000
	<u>479,000</u>	
E.S.D. No. 112	\$ ((407,000))	\$453,000
	<u>403,000</u>	
E.S.D. No. 113	\$ ((434,000))	\$483,000
	<u>430,000</u>	
E.S.D. No. 114	\$ ((374,000))	\$208,000
	<u>370,000</u>	
E.S.D. No. 121	\$ ((356,000))	\$396,000
	<u>352,000</u>	
E.S.D. No. 123	\$ ((472,000))	\$262,000
	<u>467,000</u>	
E.S.D. No. 171	\$ ((577,000))	\$321,000
	<u>571,000</u>	
E.S.D. No. 189	\$ ((377,000))	\$419,000
	<u>373,000</u>	
Total	\$ ((3,986,000))	\$3,373,000
	<u>3,946,000</u>	

(2) School districts in the respective educational service districts shall provide the amounts specified from state funding sources accruing under section 87 of this act on a per capita enrollment basis prior to June 30th of each school year.

(3) Educational service districts may provide additional services, not funded under this section but desired by school districts, by billing the school districts desiring the services for the cost of the services.

(4) Educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.21.088 (3) and (4).

Sec. 80. Section 100, chapter 340, Laws of 1981 as amended by section 82, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR BLOCK GRANTS

General Fund Appropriation—State \$ 109,160,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$46,285,000 may be expended in the 1981–82 fiscal year for provision of programs as delineated in subsection (3) of this section to be distributed on a pro rata basis by the superintendent of public instruction to school districts on the basis of the amount of state funds received by each school district on an annual average full time equivalent enrollment for the 1980–81 school year using the following: Bilingual program; gifted program; urban and rural racially disadvantaged program; remediation program; and state funds received for specific learning disabled students, behaviorally disabled students, and communication disordered students.

(2) A maximum of \$~~((60,289,000))~~ 59,679,000 may be expended for the 1982–83 fiscal year to be distributed by the superintendent of public instruction as follows:

(a) One-third of the funds shall be distributed on the basis of each district's annual average full time equivalent enrollment adjusted by the ratio of a district's recognized basic education average certificated salary to the state-wide average recognized basic education average certificated salary.

(b) The remaining funds shall be distributed on the same basis as funds were distributed in the 1981–82 school year pursuant to subsection (1) of this section.

(3) The funds allocated by this section may be expended by school districts for provision of special instructional programs, including but not limited to: Remediation assistance programs; cultural enrichment programs; transitional bilingual programs; preschool education programs; alternative education programs; community involvement programs (including PUSH–EXCEL); environmental education programs; education for superior students programs; Indian education programs; Pacific Science Center programs; and programs for the specific learning disabled, communication disordered, and behaviorally disordered.

(4) From the dollars allocated per student, the superintendent may charge a state-wide or regional fee to maintain programs of state-wide or regional benefit, provided school boards representing a majority of the population agree to the fee.

(5) \$2,966,000 is provided solely for support of Indochinese refugee educational programs.

(6) The superintendent of public instruction shall contract \$230,000 for services to support an approved gifted program to be conducted at Fort Worden state park.

(7) Salary and benefits increases are included in the funds allocated by this section.

(8) The disbursements to local school districts from the appropriation in this section are subject to reductions under section 83 of this 1982 act.

Sec. 81. Section 101, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE INSTITUTIONAL EDUCATION PROGRAMS

General Fund Appropriation—State	\$	((15,438,000))
		15,361,000
General Fund Appropriation—Federal	\$	5,560,000
Total Appropriation	\$	((20,998,000))
		20,921,000

The appropriations in this section are subject to the following condition or limitation: The disbursements to local school districts from the appropriations in this

section are subject to reductions under section 83 of this 1982 act: PROVIDED, That percentage reductions in this program by any school district shall not exceed 0.5% on a biennial basis.

Sec. 82. Section 105, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL CLINICS

General Fund Appropriation	\$ ((1,000,000))
	<u>990,000</u>

NEW SECTION. Sec. 83. There is added to chapter 340, Laws of 1981 a new section to read as follows:

The superintendent of public instruction shall achieve a reduction of \$15,674,000 in the total disbursements of state general fund moneys to local school districts for the 1982-1983 school year for those programs under sections 72, 74, 75, 76, 77, 78, 80, and 81 of this 1982 act. This reduction approximates a 0.5% biennial reduction in the state general fund appropriation for disbursement to each local school district. The legislature recognizes that local school districts are best prepared to identify their own individual local needs and priorities. Local school districts require maximum flexibility in prioritizing and providing for those programs that best meet their local needs. By December 1, 1982, each local school district shall inform the superintendent of public instruction of those programs for which entitled disbursements shall be reduced for that district, and the amount of the reductions. After December 1, 1982, for any local school district which fails to comply with this section, the superintendent shall reduce all disbursements as necessary to carry out the purposes of this section. By January 15, 1983, the superintendent of public instruction shall submit a report to the legislature describing the reductions achieved under this section.

Sec. 84. Section 107, chapter 340, Laws of 1981 as amended by section 83, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

General Fund Appropriation—State	\$ ((378,408,000))
	<u>370,840,000</u>
General Fund Appropriation—Federal	\$ 271,000
Total Appropriation	\$ ((378,679,000))
	<u>371,111,000</u>

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

(1) A maximum of \$2,608,000 may be spent for the small school adjustment to Whatcom, Olympia Technical, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, Lower Columbia, and Walla Walla Community Colleges. The distribution of such funds shall be based on a percent of formula entitlement for faculty staffing which shall be increased at the rate of one percentage point above the 71.0% base level for each 100 full time equivalent students below the 2,500 full time equivalent student enrollment level, except that no community college shall be funded in excess of 86.0% of formula.

(2) At least \$227,291 shall be expended for the purchase and maintenance of equipment to access the higher education personnel payroll system.

(3) In making reductions in funds, no reductions shall be made affecting tuition waivers for the parenting education program.

(4) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$71,854,988 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

(5) (a) For purposes of the 1983-85 budget development, enrollments which are attributable to ungraded courses, excluding adult basic education, for which operating fees are waived in whole or part shall be reduced by a percentage calculated by dividing the waived operating fees by the total operating fees and multiplying by twenty-three percent.

(b) As used in this subsection (5):

(i) "Waived operating fees" means the operating fees waived for an enrollment under RCW 28B.15.502(4); and

(ii) "Total operating fees" means the operating fees which would have been paid for an enrollment if no waiver had been granted.

Sec. 85. Section 108, chapter 340, Laws of 1981 as amended by section 84, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund Appropriation	\$	((280,102,000)) 281,551,000
Accident Fund Appropriation	\$	1,027,000
Medical Aid Fund Appropriation	\$	1,027,000
University of Washington Building Account Appropriation	\$	((55,355,000)) 48,304,000
Total Appropriation	\$	((337,511,000)) 331,909,000

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

(1) \$1,600,000 is provided solely for family medicine education.

(2) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$51,831,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 86. Section 109, chapter 340, Laws of 1981 as amended by section 85, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY

General Fund Appropriation	\$	((+72,832,000)) 169,375,000
Washington State University Building Account Appropriation	\$	18,200,000
Total Appropriation	\$	((+91,032,000)) 187,575,000

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

(1) A maximum of \$380,000 may be expended for federal matching purposes for the small business development center.

(2) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$24,315,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 87. Section 110, chapter 340, Laws of 1981 as amended by section 86, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((54,417,000)) 53,329,000
Eastern Washington University Capital Projects Account Appropriation	\$	2,066,000
Total Appropriation	\$	((56,483,000))

55,395,000

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$10,351,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 88. Section 111, chapter 340, Laws of 1981 as amended by section 87, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((48,852,000))
		47,875,000
Central Washington University Capital Projects		
Account Appropriation	\$	1,666,000
Total Appropriation	\$	((50,518,000))
		49,541,000

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$10,327,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 89. Section 112, chapter 340, Laws of 1981 as amended by section 88, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

General Fund Appropriation	\$	((25,247,000))
		24,742,000

The appropriation in this section is subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$5,500,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 90. Section 113, chapter 340, Laws of 1981 as amended by section 89, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((58,362,000))
		57,195,000
Western Washington University Capital Projects		
Account Appropriation	\$	3,102,000
Total Appropriation	\$	((61,464,000))
		60,297,000

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$9,599,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

NEW SECTION. Sec. 91. There is added to chapter 340, Laws of 1981 a new section to read as follows:

(1) FOR INSTITUTIONS FOR HIGHER EDUCATION—SUPPLEMENTAL TUITION APPROPRIATIONS		
(a) THE UNIVERSITY OF WASHINGTON		
General Fund Appropriation	\$	2,667,000
(b) WASHINGTON STATE UNIVERSITY		
General Fund Appropriation	\$	1,649,000
(c) EASTERN WASHINGTON UNIVERSITY		

General Fund Appropriation	\$	514,000
(d) CENTRAL WASHINGTON UNIVERSITY		
General Fund Appropriation	\$	466,000
(e) THE EVERGREEN STATE COLLEGE		
General Fund Appropriation	\$	242,000
(f) WESTERN WASHINGTON UNIVERSITY		
General Fund Appropriation	\$	553,000
(g) THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION		
General Fund Appropriation	\$	3,609,000

(2) The appropriations in subsection (1) of this section are subject to the following conditions and limitations:

(a) The appropriations in subsection (1) of this section are contingent upon the enactment of Second Substitute House Bill No. 784.

(b) If the final fiscal note approved by the office of financial management for Second Substitute House Bill No. 784 indicates estimated excess revenues of less than \$9,700,000, the appropriations in subsection (1) of this section shall be reduced proportionately. As used in this section, "estimated excess revenues" means estimated revenues in excess of \$11,200,000.

(3) The appropriations in sections 84 through 91 of this 1982 act are subject to the following condition or limitation: To the maximum extent feasible, new instructional staffing will be in nontenure-track appointments.

Sec. 92. Section 115, chapter 340, Laws of 1981 as amended by section 90, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COUNCIL FOR POSTSECONDARY EDUCATION

General Fund Appropriation—State	\$	((20,478,000))
		<u>19,878,000</u>
General Fund Appropriation—Federal	\$	3,684,000
Total Appropriation	\$	((24,162,000))
		<u>23,562,000</u>

The appropriations in this section are subject to the following condition ~~((and))~~ or limitation: \$106,000 shall be expended to honor higher education reciprocity agreements with the state of Oregon.

Sec. 93. Section 114, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE COMPACT FOR EDUCATION

General Fund Appropriation	\$	((29,200))
		<u>61,000</u>

~~((The appropriation in this section is subject to the following condition or limitation: This appropriation is provided solely for the first fiscal year of the biennium.))~~

Sec. 94. Section 116, chapter 340, Laws of 1981 as amended by section 91, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC BROADCASTING COMMISSION

General Fund Appropriation—State	\$	((128,000))
		<u>124,000</u>
General Fund Appropriation—Federal	\$	8,000
Total Appropriation	\$	((136,000))
		<u>132,000</u>

Sec. 95. Section 118, chapter 340, Laws of 1981 as amended by section 92, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION FOR VOCATIONAL EDUCATION

General Fund Appropriation—State	\$	((1,734,000))
		<u>1,682,000</u>
General Fund Appropriation—Federal	\$	27,157,000

Total Appropriation \$ ~~((28,891,000))~~
28,839,000

The appropriations in this section are subject to the following condition ~~((and))~~ or limitation: No state funds may be used by the advisory council for vocational education.

Sec. 96. Section 120, chapter 340, Laws of 1981 as amended by section 94, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE LIBRARY

General Fund Appropriation—State \$ ~~((6,466,000))~~
6,426,000
 General Fund Appropriation—Federal \$ 2,147,000
 General Fund Appropriation—Private/Local \$ 168,000
 Washington Library Network Computer System
 Revolving Fund Appropriation—Private/Local \$ 5,417,000
 Total Appropriation \$ ~~((14,198,000))~~
14,158,000

The appropriations in this section are subject to the following condition or limitation: \$1,155,000 (of which \$98,000 is from federal funds) of the general fund appropriation, or as much additional funding as is necessary to maintain current service levels and expand the radio reading service to Spokane, shall be expended for the library for the blind and physically handicapped.

Sec. 97. Section 121, chapter 340, Laws of 1981 as amended by section 95, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund Appropriation—State \$ ~~((1,228,286))~~
1,191,000
 General Fund Appropriation—Federal \$ 893,000
 Total Appropriation \$ ~~((2,121,286))~~
2,084,000

The appropriations in this section are subject to the following condition or limitation: \$~~((679,000))~~ 659,000 is provided solely for the cultural enrichment program in the common schools.

Sec. 98. Section 122, chapter 340, Laws of 1981 as amended by section 96, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation \$ ~~((541,000))~~
525,000

The appropriation in this section is subject to the following condition or limitation: \$27,000 is provided solely for a state historical monument to recognize the World War II internment of Japanese-Americans at the Western Washington fairgrounds in Puyallup. Funds appropriated for this memorial may be expended to the extent that at least twenty-five percent of the total cost of the project authorized is obtained from federal, local, or private sources.

Sec. 99. Section 123, chapter 340, Laws of 1981 as amended by section 97, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation \$ ~~((454,000))~~
440,000

Sec. 100. Section 124, chapter 340, Laws of 1981 as amended by section 98, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE CAPITOL HISTORICAL ASSOCIATION

General Fund Appropriation \$ ~~((399,000))~~
387,000

General Fund—State Capitol Historical Association	
Museum Account Appropriation	\$ 53,000
Total Appropriation	\$ (452,000)
	<u>440,000</u>

Sec. 101. Section 125, chapter 340, Laws of 1981 as amended by section 99, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

General Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$ 8,000
General Fund—Criminal Justice Training Account Appropriation: For transfer to the general fund on or before June 30, 1983, an amount up to \$1,100,000	\$ 1,100,000
General Fund—Investment Reserve Account Appropriation: For transfer to the general fund on or before June 29, 1983, pursuant to chapter 50, Laws of 1969	\$ 40,000,000
Motor Vehicle Fund Appropriation: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the department of transportation and the Washington state patrol during the period July 1, 1981, through June 30, 1983	\$ 3,000,000
Motor Vehicle Fund Appropriation: For transfer to the Grade Crossing Protective Fund for appropriation to the utilities and transportation commission for the 1981–1983 biennium to carry out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, and 81.53.291	\$ 697,000
Motor Vehicle Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$ 40,000
State Treasurer's Service Fund Appropriation: For transfer to the general fund on or before July 20, 1983, an amount up to \$17,794,000 in excess of the cash requirements in the State Treasurer's Service Fund for fiscal year 1984, for credit to the fiscal year in which earned	\$ 17,794,000
Teachers' Retirement Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$ 2,572,000
General Fund—Trust Land Purchase Account Appropriation: For transfer to the general fund on or before June 30, 1983, an amount up to \$(856,000) <u>1,028,000</u> in excess of the cash requirements in the Trust Land Purchase Account, as determined by the office of financial management	\$ (856,000) <u>1,028,000</u>

General Fund Appropriation: For transfer to the law enforcement officers' and fire fighters' retirement system: PROVIDED, That the amount transferred shall not exceed the additional interest which would have been earned by the system if the amounts appropriated in section 34, chapter 340, Laws of 1981 had been transferred to the system quarterly

	\$ 22,000,000
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NEW SECTION. Sec. 102. There is added to chapter 340, Laws of 1981 a new section to read as follows:

The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated and authorized to be expended out of the several funds indicated, for the period July 1, 1981, to June 30, 1983.

SUNDRY CLAIMS

General Fund Appropriations, except as otherwise provided, for relief of various individuals, firms, and corporations for sundry claims. These appropriations are to be disbursed on vouchers approved by the director of financial management, except as otherwise provided, as follows:

(1) Joe A. Allemandi, Payment for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund	\$	3,000.00
(2) Hallie Fletcher, Payment for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund	\$	2,455.80
(3) Mabel G. Dillon, Reimbursement for amount paid to state, plus interest, for purchase of tidelands which she already owned: PROVIDED, That payment shall be made from the resource management cost account in the General Fund	\$	2,660.37
(4) Tjarnberg Brothers Orchard, Payment for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund	\$	2,361.00
(5) Living Services, Inc., Payment of Stipulated Judgment No. 79-2-1433-5	\$	73,641.00
(6) William Folden, Payment of Stipulated Judgment No. 79-2-1433-5	\$	47,374.00
(7) Insley, Best, Chapin, Uhlman & Doezie, P.S., Payment of Stipulated Judgment No. 79-2-1433-5	\$	140.00
(8) Allinson, Inc., Payment of Stipulated Judgment No. 79-2-00445-3: PROVIDED, That payment shall be made from the Motor Vehicle Fund, as is available under RCW 46.16.061	\$	9,239.95
(9) Spokane Community College, Reimbursement for payment of Stipulated Judgment No. 81200361-8	\$	100,000.00
(10) Office of Financial Management, Payment of weed district assessments on state lands, as presented by the Office of State Auditor	\$	376.81

NEW SECTION. Sec. 103. There is added to chapter 340, Laws of 1981, a new section to read as follows:

(1) The legislature assumes that \$30,000,000 in savings in state general fund expenditures will result from the enactment of Second Substitute House Bill No. 124 or Senate Bill No. 4424. Each elected state official shall reduce allotments of agencies for which the official has allotment revision authority to reflect the savings actually realized as a result of the enactment of Second Substitute House Bill No. 124 or Senate Bill No. 4424.

(2) If neither Second Substitute House Bill No. 124 nor Senate Bill No. 4424 are enacted during the 1982 1st extraordinary session of the legislature, the governor shall implement measures improving productivity, including but not limited to shorter office hours, fewer work days, and leave without pay. To this end, the governor shall reduce the allotments of moneys appropriated to the agencies for which the governor has allotment revision authority so that the aggregate of the allotments is at least ten million dollars less than the aggregate of the appropriations for those

agencies. The allotment reductions shall be distributed among the agencies in a manner which in the governor's judgment will enhance productivity. Other elected state officials shall implement similar productivity increases wherever feasible.

(3) The portion of any appropriation not needed for an allotment as reduced under this section shall lapse. The allotment reductions made under this section are in addition to any allotment reductions which may be made under chapter 43.88 RCW.

Sec. 104. Section 37, chapter 67, Laws of 1981 as amended by section 101, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

To carry out this act, there is appropriated to the office of the chief administrative law judge from the general fund for the fiscal year from July 1, 1981, through June 30, 1982, the sum of one hundred (~~(eight)~~) five thousand dollars, or so much thereof as may be necessary.

Sec. 105. Section 2, chapter 69, Laws of 1981 as amended by section 102, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

There is appropriated to the office of financial management from the general fund for the biennium ending June 30, 1983, the sum of (~~(one million three hundred fifty)~~) thirty-nine thousand dollars (~~(; or so much thereof as may be necessary.)~~) to be disbursed to the department of commerce and economic development, the state energy office, and the department of natural resources, or their successor agencies, for the development, installation, and presentation of an exhibition at Energy Fair '83 during the period of the exposition (~~(-PROVIDED, That these funds shall revert to the general fund on April 1, 1982, unless the citizens of Benton and/or Franklin counties and/or the municipalities therein have favorably passed a bond issue which would fund that portion of Energy Fair '83 costs which are a local responsibility).~~).

Sec. 106. Section 123, chapter 136, Laws of 1981 as amended by section 103, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund \$(~~(372,565)~~) 365,000 to the corrections standards board and \$4,630,000 to the department of corrections as established in this 1981 act. This appropriation shall be subject to the following conditions and limitations:

(1) For the 1981-83 biennium the department of corrections shall be authorized an additional 93 FTE staff years.

(2) These additional FTE staff years shall be in addition to the staffing level authorized in ESSB 3636. There shall be transferred to the department of corrections an amount of general fund appropriation, state and FTE staff years, the exact amount to be determined by the secretary of social and health services and the secretary of corrections subject to the approval of the director of the office of financial management.

Sec. 107. Section 42, chapter 137, Laws of 1981 as amended by section 104, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

There is appropriated from the state general fund to the sentencing guidelines commission for the biennium ending June 30, 1983, the sum of (~~(six hundred sixteen)~~) five hundred ninety-eight thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

NEW SECTION. Sec. 108. There is appropriated from the state general fund to the Washington state winter recreation commission for the biennium ending June 30, 1983, the sum of twenty-eight thousand dollars for the duties imposed upon the commission by Substitute Senate Bill No. 4841. This appropriation is contingent on the enactment of Substitute Senate Bill No. 4841 during a 1982 session of the legislature.

Sec. 109. Section 16, chapter 268, Laws of 1981 as amended by section 106, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund to the judicial qualifications commission for the biennium ending June 30, 1983 a sum of \$((258,000)) 254,000. \$4,000 of this appropriation is contingent upon \$4,000 of the compensation increase moneys provided to the commission under section 14, chapter 340, Laws of 1981, as amended, remaining in reserve status.

Sec. 110. Section 6, chapter 317, Laws of 1981 as amended by section 107, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PATROL

General Fund Appropriation—State	\$	<u>((12,062,761))</u>
		11,700,878
Motor Vehicle Fund—State Patrol Highway Account		
Appropriation—State	\$	90,391,815
Highway Safety Fund Appropriation—State	\$	9,000
Total Appropriation	\$	<u>((102,463,576))</u>
		102,101,693

The appropriations contained in this section are subject to the following condition and limitation: The highway safety fund appropriation in this section is provided for the vehicle equipment safety commission.

Sec. 111. Section 8, chapter 317, Laws of 1981 as amended by section 109, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—EXECUTIVE MANAGEMENT—PROGRAM Z—MANAGEMENT SERVICES—PROGRAM S

General Fund—Aeronautics Account Appria-		
tion—State	\$	8,722
General Fund Appropriation—State	\$	<u>((59,200))</u>
		57,424
Motor Vehicle Fund—Puget Sound Capital Con-		
struction Account Appropriation—State	\$	525,462
Motor Vehicle Fund—Puget Sound Ferry Operations		
Account Appropriation—State	\$	441,773
Motor Vehicle Fund Appropriation—State	\$	15,417,283
Total Appropriation	\$	<u>((16,452,440))</u>
		16,450,664

The appropriations contained in this section are provided for executive management, management services, and support costs of the department of transportation. The department of transportation may transfer any portion of the motor vehicle fund appropriations in this section between Programs S and Z.

Sec. 112. Section 11, chapter 317, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION AND PLANNING—PROGRAM T

(1) For public transportation and rail programs:

General Fund Appropriation—State	\$	<u>((815,570))</u>
		791,100
General Fund Appropriation—Federal	\$	9,839,000
General Fund Appropriation—Local	\$	185,000

(2) For planning and research:

Motor Vehicle Fund Appropriation—State	\$	5,192,909
Motor Vehicle Fund Appropriation—Federal	\$	6,320,000
Total Public Transportation and Planning		
Appropriation	\$	<u>((22,352,479))</u>
		22,328,009

The appropriations contained in this section are provided for the management and support of the public transportation and planning division, urban mass transportation administration programs, for rail programs, for state loans for formation of public transportation districts, for studies which support local public transportation programs, for maintenance of the state transportation plan, for highway planning and research by the department of transportation, and for research and studies approved by the department of transportation (~~and the legislative transportation committee~~).

Sec. 113. Section 10, chapter 330, Laws of 1981 as amended by section 112, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

(1) There is hereby appropriated from the general fund for the biennium ending June 30, 1983, to the legislative budget committee the sum of (~~ninety~~) eighty-seven thousand dollars for the purpose of conducting a study of the judicial information system as provided in section 9 of this act.

(2) There is hereby appropriated from the general fund for the biennium ending June 30, 1983, to the office of the administrator for the courts the sum of seven million (~~nine~~) eight hundred (~~fifty-five~~) twenty-five thousand dollars for the judicial information system.

NEW SECTION. Sec. 114. There is added to chapter 143, Laws of 1981 a new section to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

(1) Minor remodel of the third and fourth floors of the insurance building for the OFM occupancy.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		332,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/83	Thereafter	
332,000		332,000

(2) Conversion of existing storage center located in the basement of the public lands building for support services space.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		140,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/83	Thereafter	
140,000		140,000

(3) Develop schematic designs and begin the remodeling of the house office building.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		100,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/83	Thereafter	
100,000	3,900,000	4,000,000

NEW SECTION. Sec. 115. 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. 116. 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 of the title, after "appropriations;" strike the remainder of the title and insert "modifying appropriations and expenditures for the operations and capital projects of state agencies for the fiscal biennium beginning July 1, 1981, and ending June 30, 1983; amending section 4, chapter 340, Laws of 1981 as amended by section 5, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 5, chapter 340, Laws of 1981 as amended by section 6, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 6, chapter 340, Laws of 1981 as amended by section 7, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 7, chapter 340, Laws of 1981 as amended by section 8, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 8, chapter 340, Laws of 1981 as amended by section 9, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 9, chapter 340, Laws of 1981 as amended by section 10, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 10, chapter 340, Laws of 1981 as amended by section 11, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 11, chapter 340, Laws of 1981 as amended by section 12, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 12, chapter 340, Laws of 1981 as amended by section 13, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 13, chapter 340, Laws of 1981 as amended by section 14, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 14, chapter 340, Laws of 1981 as amended by section 15, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 15, chapter 340, Laws of 1981 as amended by section 16, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 16, chapter 340, Laws of 1981 as amended by section 17, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 17, chapter 340, Laws of 1981 as amended by section 18, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 18, chapter 340, Laws of 1981 as amended by section 19, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 19, chapter 340, Laws of 1981 as amended by section 20, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 22, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 20, chapter 340, Laws of 1981 (uncodified); amending section 21, chapter 340, Laws of 1981 as amended by section 24, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 24, chapter 340, Laws of 1981 as amended by section 26, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 25, chapter 340, Laws of 1981 as amended by section 27, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 26, chapter 340, Laws of 1981 as amended by section 28, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 27, chapter 340, Laws of 1981 as amended by section 29, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 28, chapter 340, Laws of 1981 as amended by section 30, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 29, chapter 340, Laws of 1981 as amended by section 31, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 30, chapter 340, Laws of 1981 (uncodified); amending section 33, chapter 340, Laws of 1981 as amended by section 33, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 36, chapter 340, Laws of 1981 as amended by section 35, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 37, chapter 340, Laws of 1981 as amended by section 36, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 40, chapter 340, Laws of 1981 (uncodified); amending section 41, chapter 340, Laws of 1981 as amended by section 37, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amend-

1981 2nd ex. sess. (uncodified); amending section 94, chapter 340, Laws of 1981 as amended by section 77, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 95, chapter 340, Laws of 1981 as amended by section 78, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 96, chapter 340, Laws of 1981 as amended by section 79, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 97, chapter 340, Laws of 1981 as amended by section 80, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 99, chapter 340, Laws of 1981 as amended by section 81, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 100, chapter 340, Laws of 1981 as amended by section 82, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 101, chapter 340, Laws of 1981 (uncodified); amending section 105, chapter 340, Laws of 1981 (uncodified); amending section 107, chapter 340, Laws of 1981 as amended by section 83, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 108, chapter 340, Laws of 1981 as amended by section 84, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 109, chapter 340, Laws of 1981 as amended by section 85, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 110, chapter 340, Laws of 1981 as amended by section 86, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 111, chapter 340, Laws of 1981 as amended by section 87, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 112, chapter 340, Laws of 1981 as amended by section 88, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 113, chapter 340, Laws of 1981 as amended by section 89, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 115, chapter 340, Laws of 1981 as amended by section 90, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 114, chapter 340, Laws of 1981 (uncodified); amending section 116, chapter 340, Laws of 1981 as amended by section 91, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 118, chapter 340, Laws of 1981 as amended by section 92, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 120, chapter 340, Laws of 1981 as amended by section 94, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 121, chapter 340, Laws of 1981 as amended by section 95, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 122, chapter 340, Laws of 1981 as amended by section 96, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 123, chapter 340, Laws of 1981 as amended by section 97, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 124, chapter 340, Laws of 1981 as amended by section 98, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 125, chapter 340, Laws of 1981 as amended by section 99, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 37, chapter 67, Laws of 1981 as amended by section 101, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 2, chapter 69, Laws of 1981 as amended by section 102, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 123, chapter 136, Laws of 1981 as amended by section 103, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 42, chapter 137, Laws of 1981 as amended by section 104, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 16, chapter 268, Laws of 1981 as amended by section 106, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 6, chapter 317, Laws of 1981 as amended by section 107, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 8, chapter 317, Laws of 1981 as amended by section 109, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 11, chapter 317, Laws of 1981 (uncodified); amending section 10, chapter 330, Laws of 1981 as amended by section 112, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); adding new sections to chapter 340, Laws of 1981; adding a new section to chapter 143, Laws of 1981; creating new sections; repealing section 70, chapter 340, Laws of 1981, section 61, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); and declaring an emergency."

Signed by: Senators Hayner and Scott; Representatives Nelson, Chandler and Sommers.

MOTION

On motion of Senator Newhouse, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference on Engrossed Substitute Senate Bill No. 4369.

MESSAGE FROM THE HOUSE

April 2, 1982.

Mr. President: The House has adopted the report of the Free Conference Committee on SENATE BILL NO. 4717, and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

April 2, 1982.

MR. PRESIDENT:

MR. SPEAKER:

We of your Free Conference Committee, to whom was referred SENATE BILL NO. 4717, as amended by the House, giving free copies of state statutes and rules to legislative committees, have had the same under consideration, and we recommend that the following amendment be adopted:

"AN ACT Relating to state publications; amending section 4, chapter 150, Laws of 1941 as last amended by section 1, chapter 162, Laws of 1981 and RCW 40.04.040; amending section 5, chapter 150, Laws of 1941 as last amended by section 13, chapter 87, Laws of 1980 and RCW 40.04.090; amending section 3, chapter 136, Laws of 1907 as last amended by section 2, chapter 6, Laws of 1969 and RCW 44.20.030; amending section 5, chapter 136, Laws of 1907 as last amended by section 4, chapter 6, Laws of 1969 and RCW 44.20.050; amending section 10, chapter 257, Laws of 1953 and RCW 1.08.060; amending section 5, chapter 234, Laws of 1959 as last amended by section 12, chapter 186, Laws of 1980 and RCW 34.04.050; adding a new section to chapter 40.04 RCW; and repealing section 4, chapter 136, Laws of 1907, section 2, chapter 27, Laws of 1933, section 2, chapter 31, Laws of 1933 ex. sess., section 3, chapter 6, Laws of 1969, section 2, chapter 162, Laws of 1981 and RCW 44.20.040.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 4, chapter 150, Laws of 1941 as last amended by section 1, chapter 162, Laws of 1981 and RCW 40.04.040 are each amended to read as follows:

Permanent session laws shall be distributed, sold, and/or exchanged by the state law librarian as follows:

(1) Copies shall be given as follows: One to each United States senator and representative in congress from this state; ~~((six))~~ two to the Library of Congress; ~~((one to each United States executive department as defined by section 1, title 5, of the United States Code; three))~~ one to the United States supreme court library; three to the library of the circuit court of appeals of the ninth circuit; ~~((one))~~ two to each United States district court room within this state; ~~((one))~~ two to each office

and branch office of the United States district attorneys in this state; one to each state official whose office is created by the Constitution; (~~one to the judge advocate's office at Fort Lewis; one to each member of the legislature, session law indexer;~~) two each to the president of the senate, secretary ((and assistant secretary)) of the senate, speaker of the house of representatives, and chief clerk ((and the assistant chief clerk)) of the house of representatives((; the minute clerk and sergeant-at-arms of the two branches of the legislature of the sessions of which they occupied the offices and positions mentioned, one copy each to the Olympia representatives of the Associated Press and the United Press)) and such additional copies as they may request; fourteen copies to the code reviser; two copies to the state library; two copies to the law library of the University of Puget Sound law school; two copies to the law library of Gonzaga University law school; ((and)) two copies to the law libraries of any accredited law schools as are hereafter established in this state; one copy to each state adult correctional institution; and one copy to each state mental institution.

(2) Copies, for official use only, shall be distributed as follows: (~~One to each state department and to each division thereof; one to each state official whose office is created by the Constitution, except~~) Two copies to the governor ((who shall receive three copies)); one each to the ((adjutant general, the)) state historical society((-)) and the state bar association((-, and to each state institution; one copy for each assistant attorney general who maintains his office in the attorney general's suite, and one additional copy for his stenographer's room)); and one copy to each prosecuting attorney ((and one for each of his deputies)).

Sufficient copies shall be furnished for the use of the supreme court, the court of appeals, the superior courts, and the state law library as from time to time are needed. Eight copies shall be distributed to the University of Washington law library; one copy each to the offices of the president and the board of regents of the University of Washington, the dean of the University of Washington school of law, and to the University of Washington library; one copy to the library of each of the regional universities and to The Evergreen State College; one copy (~~each~~) to the president of the Washington State University and four copies to the Washington State University library. Six copies shall be sent to the King county law library, and one copy to each of the county law libraries organized pursuant to law (~~in the counties of the first, second, and third class~~); one copy to each public library in cities of the first class, and one copy to the municipal reference branch of the Seattle public library.

~~((At the convening of each session of the legislature the state law librarian shall deliver to the chief clerk of the house of representatives twenty copies, and to the secretary of the senate, ten copies, of the laws of the preceding general session and of any intervening session for the use of the legislators during the ensuing session but which shall be returned to the state law library at the expiration of the legislative session.~~

It shall be the duty of each county auditor biennially to submit to the state law librarian a list of county officers, including the prosecuting attorney and his regular ~~full-time~~ deputies and the justices of the peace and superior court rooms regularly used by a justice of the peace or superior court judge, and the correct number of bound copies of the session laws necessary for the official use only of such officers and court rooms will be sent, transportation collect, to said county auditor who shall be responsible for the distribution thereof to the county officials entitled to receive them:))

(3) Surplus copies of the session laws shall be sold and delivered by the state law librarian, in which case the price of the bound volumes shall be twenty dollars each. All moneys received from the sale of such bound volumes of session laws shall be paid into the state treasury for the general fund.

(4) The state law librarian is authorized to exchange bound copies of the session laws for similar laws or legal materials of other states, territories, and governments, and to make such other and further distribution of the bound volumes as in his judgment seems proper.

Sec. 2. Section 5, chapter 150, Laws of 1941 as last amended by section 13, chapter 87, Laws of 1980 and RCW 40.04.090 are each amended to read as follows:

The house and senate journals shall be distributed and/or sold by the state law librarian as follows:

(1) Sets shall be distributed as follows: One set to each (~~member of the legislature;~~) secretary and assistant secretary of the senate, chief clerk and assistant to the chief clerk of the house of representatives, and to each minute clerk and sergeant-at-arms of the two branches of the legislature of which they occupy the offices and positions mentioned. One to each official whose office is created by the Constitution, and one to each state department director; three copies to the University of Washington law library; two copies to the University of Washington library; one to the King county law library; one to the Washington State University library; one to the library of each of the regional universities and to The Evergreen State College; one to the law library of Gonzaga University law school; one to the law library of the University of Puget Sound law school; one to the law libraries of any accredited law school as hereafter established in this state; and one to each free public library in the state which requests it.

(2) (~~A set of the~~) House and senate journals of the preceding regular session during an odd- or even-numbered year, and of any intervening special session, shall be (~~placed on the desk of each legislator for his use during the ensuing session; which shall be returned to the state law library at the expiration of the legislative session~~) provided for use of legislators in such numbers as directed by the chief clerk of the house of representatives and secretary of the senate; and sufficient sets shall be retained for the use of the state law library.

(3) Surplus sets of the house and senate journals shall be sold and delivered by the state law librarian, in which case the price shall be (~~fifteen~~) thirty-five dollars plus postage for those of the regular sessions during an odd- or even-numbered year, and (~~ten dollars~~) at a price determined by the state printer to cover the costs of paper, printing, binding and postage for those of the special sessions, when separately bound, and the proceeds therefrom shall be paid to the state treasurer for the general fund.

(4) The state law librarian is authorized to exchange copies of the house and senate journals for similar journals of other states, territories, and/or governments, or for other legal materials, and to make such other and further distribution of them as in his judgment seems proper.

Sec. 3. Section 3, chapter 136, Laws of 1907 as last amended by section 2, chapter 6, Laws of 1969 and RCW 44.20.030 are each amended to read as follows:

The statute law committee, after each and every legislative session, whether regular or extraordinary, shall cause to be reproduced or printed for temporary use (~~four thousand copies~~) separate copies of each act filed in the office of secretary of state within ten days after the filing thereof(~~; and in the order of its chapter number~~).

The committee shall cause to be reproduced or printed three thousand copies or such additional number as may be necessary of temporary bound sets of all acts filed in the office of secretary of state within seventy-five days after the final adjournment of the legislature for that year.

Sec. 4. Section 5, chapter 136, Laws of 1907 as last amended by section 4, chapter 6, Laws of 1969 and RCW 44.20.050 are each amended to read as follows:

When all of the acts of any session of the legislature and initiative measures enacted by the people since the next preceding session have been certified to the

statute law committee, the code reviser employed by the statute law committee shall make the proper headings and index of such acts or laws and, after such work has been completed, the statute law committee shall have published and bound in good buckram at least ~~((two thousand))~~ six hundred copies or such additional copies as may be necessary of such acts and laws, with such headings and indexes, and such other matter as may be deemed essential, including a title page showing the session at which such acts were passed, the date of convening and adjournment of the session, and any other matter deemed proper, including a certificate by the secretary of state of such referendum measures as may have been enacted by the people since the next preceding session.

NEW SECTION. Sec. 5. There is added to chapter 40.04 RCW a new section to read as follows: .

The statute law committee, after each legislative session, shall furnish one temporary bound copy of each act as published under chapter 44.20 RCW to each member of the legislature at which such law was enacted, and to each state department or division thereof, commission, committee, board, and council, and to community colleges. Thirty-five copies shall be furnished to the senate and fifty copies to the house of representatives or such other number as may be requested. Two copies shall be furnished the administrator for the courts. One copy shall be furnished for each assistant attorney general; and one copy each to the Olympia representatives of the Associated Press and the United Press.

Each county auditor shall submit each year to the statute law committee a list of county officials requiring temporary session laws for official use only, and the auditor shall receive and distribute such copies to the county officials.

There shall be a charge of five dollars for each of the complete sets of such temporary publications when delivered to any person, firm, corporation, or institution excepting the persons and institutions named in this section. All moneys received from the sale of such temporary sets shall be transmitted to the state treasurer who shall deposit the same in the state treasury to the credit of the general fund. .

Sec. 6. Section 10, chapter 257, Laws of 1953 and RCW 1.08.060 are each amended to read as follows:

The committee may loan sets of the code and materials supplemental thereto

(1) for the use of senate committees, ~~((fifteen))~~ a quantity as required by advice from the secretary of the senate, not to exceed twenty-five sets;

(2) for use of the house committees, ~~((twenty))~~ a quantity as required by advice from the chief clerk of the house, not to exceed thirty-five sets;

(3) to the state law library for library use;

(4) for use of the reviser's office, as required;

(5) for use of recognized news reporting services maintaining permanent offices at the capitol, three sets.

The committee may exchange copies of RCW for codes or compilations of other states.

Sec. 7. Section 5, chapter 234, Laws of 1959 as last amended by section 12, chapter 186, Laws of 1980 and RCW 34.04.050 are each amended to read as follows:

(1) The code reviser shall, as soon as practicable after ~~((the effective date of this chapter))~~ March 23, 1960, compile and index all rules adopted by each agency and remaining in effect. Compilations shall be supplemented or revised as often as necessary and at least once every two years.

(2) The code reviser shall publish a register in which he shall set forth the text of all rules filed during the appropriate register publication period ~~((excluding rules in effect upon the adoption of this chapter))~~.

(3) The code reviser may, in his discretion, omit from the register or the compilation, rules, the publication of which would be unduly cumbersome, expensive, or otherwise inexpedient, if such rules are made available in printed or processed form on application to the adopting agency, and if such register or compilation contains a notice stating the general subject matter of the rules so omitted and stating how copies thereof may be obtained.

(4) The code reviser may edit and revise rules for publication, codification, and compilation, without changing the meaning of any such rule, in accordance with the provisions of RCW 34.04.052.

(5) When a rule, in whole or in part, is declared invalid and unconstitutional by a court of final appeal, the adopting agency shall give notice to that effect in the register. With the consent of the attorney general, the code reviser may remove obsolete rules or parts of rules from the Washington Administrative Code when:

(a) The rules are declared unconstitutional by a court of final appeal; or

(b) The adopting agency ceases to exist and the rules are not transferred by statute to a successor agency.

(6) Registers and compilations shall be made available, in written form to (a) state elected officials whose offices are created by Article II or III of the state Constitution or by RCW 48.02.010, upon request, (b) to the secretary of the senate and the chief clerk of the house for committee use, as required, but not to exceed the number of standing committees in each body, (c) to county boards of law library trustees(;) and to the Olympia representatives of the Associated Press and the United Press International without request, free of charge, and (d) to other persons at a price fixed by the code reviser.

(7) The board of law library trustees of each county shall keep and maintain a complete and current set of registers and compilations for use and inspection as provided in RCW 27.24.060.

(8) Judicial notice shall be taken of rules filed and published as provided in RCW 34.04.040 and this section.

NEW SECTION. Sec. 8. Section 4, chapter 136, Laws of 1907, section 2, chapter 27, Laws of 1933, section 2, chapter 31, Laws of 1933 ex. sess., section 3, chapter 6, Laws of 1969, section 2, chapter 162, Laws of 1981 and RCW 44.20.040 are each hereby repealed.

Signed by: Senators Metcalf, Lee and Rasmussen; Representatives Williams, Struthers and Monohon.

MOTION

On motion of Senator Newhouse, the report of the Free Conference Committee on Senate Bill No. 4717 was adopted.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 4717, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; absent or not voting, 1; excused, 1.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Scott, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Wilson, Wojahn, Woody, Zimmerman—45.

Voting nay: Senators Ridder, Williams—2.

Absent or not voting: Senator Gallagher—1.

Excused: Senator Talley—1.

SENATE BILL NO. 4717, 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.

MOTIONS

On motion of Senator Clarke, the Senate advanced to the eighth order of business.

On motion of Senator Clarke, the Committee on Rules was relieved from further consideration of Senate Bill No. 5006.

On motion of Senator Clarke, Senate Bill No. 5006 was placed on second reading for consideration tonight.

MOTION

Senator Hurley moved adoption of the following resolution:

SENATE RESOLUTION 1982—190

By Senators Hurley, Hughes, Bauer, Bottiger, Moore, Lysen, Charnley, Ridder, Goltz, McCaslin, Williams, Wojahn, Rasmussen, Hansen, Talmadge, Gaspard, McDermott, Conner, Wilson, Pullen, Shinpoch, Gallagher, Fleming, Peterson, Woody and Metcalf:

WHEREAS, Washington State is in a fiscal crisis equal to or greater than any faced before; and

WHEREAS, All state agencies have been severely cut back and required to use remaining funds and human resources in the most prudent and efficient manner possible; and

WHEREAS, The number of employees in the Washington State Parks and Recreation Commission maintaining the 102 state parks has steadily declined, reducing important protections and services to a growing number of families who find camping their only affordable recreation; and

WHEREAS, The Washington State Parks and Recreation Commission has recently approved a resolution which purports to increase efficiency by eliminating local level district supervisors and creating two new regional headquarters in addition to the three now existing; and

WHEREAS, The proposed elimination of district supervisors and creation of more regional managers, assistant managers and other office staff has resulted in a deterioration of morale as evidenced by a recent overwhelming no-confidence vote; and

WHEREAS, The proposed reorganization would result in increased bureaucracy and additional costs by adding regional directors, assistant directors and office staff, while decreasing the number of uniformed on-site personnel;

NOW, THEREFORE, BE IT RESOLVED, That the Director and members of the Washington State Parks and Recreation Commission be hereby admonished to discontinue plans for increasing the number of administrative personnel and instead make every effort to maintain or improve the level of services at on-site park locations; and

BE IT FURTHER RESOLVED, That the Governor be requested to investigate the proposed reorganization as well as the management performance of the Parks and Recreation Commission and take whatever action is needed to correct the problem; and

BE IT FURTHER RESOLVED, That the Washington State Parks and Recreation Commission be directed to report to the Senate Parks and Ecology Committee within sixty days with full details on the proposed reorganization and justification, and after the Senate Parks and Ecology Committee has received the reports from the Parks Commission, and after the Governor has had sufficient time

to complete his investigation, and if either find cause not to implement such reorganization, then the Parks and Recreation Commission shall take no action to implement such reorganization.

Senator Fuller moved the resolution be laid upon the table.

Senator Hurley demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator Fuller that the resolution by Senator Hurley be laid upon the table.

ROLL CALL

The Secretary called the roll and the motion failed by the following vote: Yeas, 22; nays, 24; absent or not voting, 2; excused, 1.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, Newhouse, Patterson, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—22.

Voting nay: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, McCaslin, McDermott, Moore, Peterson, Rasmussen, Ridder, Shipoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—24.

Absent or not voting: Senators Metcalf, Pullen—2.

Excused: Senator Talley—1.

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

On line 11 of the resolution, strike "pretends" and insert "purports"

The motion by Senator Hurley carried and the resolution, as amended, was adopted.

MOTIONS

On motion of Senator Clarke, the Senate returned to the sixth order of business.

On motion of Senator Clarke, the Senate commenced consideration of Senate Bill No. 5006.

SECOND READING

SENATE BILL NO. 5006, by Senators Gould and Scott:

Relating to legislative salaries.

MOTIONS

On motion of Senator Gould, Substitute Senate Bill No. 5006 was substituted for Senate Bill No. 5006 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Gould, the rules were suspended, Substitute Senate Bill No. 5006 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Woody: "Senator Gould, could you answer a question for me please? The question is on page 2, line 22, I thought this question was raised in ways and means and I see the language is still 10¢ per mile for travel to and from legislative sessions; and it is my understanding that the mileage is more than that. I am wondering why the 10¢-a-mile language is still in the bill."

Senator Gould: "The Constitution provides that the salary for back and forth in the session, the one-time round-trip salary is 10¢ per mile. The rest of our mileage to meetings, et cetera, is on a different level. But that is a Constitutional provision."

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5006 and the bill passed the Senate by the following vote: Yeas, 33; nays, 15; excused, 1.

Voting yea: Senators Bauer, Benitz, Bottiger, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hansen, Hayner, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, Metcalf, Moore, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, Talmadge, Vognild, von Reichbauer, Wilson, Wojahn, Zimmerman—33.

Voting nay: Senators Bluechel, Charnley, Clarke, Conner, Fleming, Gaspard, Goltz, Hemstad, McDermott, Peterson, Rasmussen, Ridder, Shinpoch, Williams, Woody—15.

Excused: Senator Talley—1.

SUBSTITUTE SENATE BILL NO. 5006, having received the 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. 5007, by Senator Scott:

Relating to compensation for public employees.

MOTIONS

On motion of Senator Scott, Substitute Senate Bill No. 5007 was substitute for Senate Bill No. 5007 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Shinpoch, the following amendment by Senators Shinpoch, Scott, Lysen and Newhouse was adopted:

On page 1, line 12, following "death" insert ": PROVIDED, That contracts may provide a method whereby all accumulated vacation leave may be taken as vacation leave."

POINT OF INQUIRY

Senator Vognild: "Thank you, Mr. President. The problem I have with this bill, I understand the purpose of it and I concur with that. But on line 9, the first page, it says, '. . . or political subdivision of the state. . . .' And I would assume that that would cover cities and counties."

Senator Scott: "That is directed to the law officers and firefighters system into which we pay, of course."

Senator Vognild: "But the problem I have is denying the cities the right to pay for vacations will cause replacement problems in police and fire activity where, particularly where there is a disability. You could have a situation here where you may have a vacancy or series of vacancies for over a month that could not be replaced under the laws that the cities work under LEOFF and I wonder if we would not be better off to clarify that so that we would not tie the cities up?"

Senator Scott: "This entire provision says that you can take the thirty days' pay but you have to use it or lose it, unless the individual member dies in which case this does not apply."

"But if you want to write an amendment to clarify it, I would rather doubt, given the discussion we had in committee, that you can do it and maintain uniformity between the systems but that is your privilege."

MOTIONS

On motion of Senator Clarke, Substitute Senate Bill No. 5007, as amended, was ordered held on the second reading calendar for consideration at a later time.

On motion of Senator Clarke, the Senate commenced consideration of Substitute House Bill No. 1158.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1158, by Committee on Appropriations—Human Services (originally sponsored by Appropriations—Human Services and Representatives Nisbet and Brekke):

Authorizing voluntary contributions to offset cost of care provided to publicly supported nursing home patients.

The bill was read the second time by sections.

Senator McDermott moved adoption of the following amendment:

On page 1, line 20, after "fund." insert:

"No contributions provided under this section shall be utilized for the payment of return on investment, property expenses, administrator salaries or management fees."

POINT OF INQUIRY

Senator Deccio: "Senator McDermott, I understand that the money goes, line 19 indicates ' . . . All contributions shall be deposited in the state general fund.', so I do not know whether that would almost render this amendment unnecessary, the way that I read the bill."

Senator McDermott: "Well, Senator Deccio, that is precisely why the amendment is here. If you put it in the general fund, it is a little bit tough to tell what the state is using voluntary contributions for and I want it to be very clear that whatever we allocate for the funding of nursing homes, not be supplemented in any area except patient care by the voluntary contributions. If you just put it in the general fund, it is like doing an increase in tuition — the students are never sure when they are paying tuition or they are paying for something else and I think if patients' families are making voluntary contributions, they ought to make sure that that goes for patient care."

Senator Deccio: "I understand what you are saying, I don't want it to go there either, except that whatever happens to these monies has to be decided by the legislature and if it is going to be a ROI or property or anything else, we would have to make that determination. Really, the amendment does not bother me all that much but I am just wondering whether you just want to stick something on there or whether you are really serious and mean that we really need to have it. I do not think we need to have it. I think you are just buttering up the bill. And I would suggest that we vote against it."

POINT OF INQUIRY

Senator Rasmussen: "Senator Deccio, I am looking at line 19: ' . . . All contributions shall be deposited in the state general fund.' My dear mother who has long since departed this earth and who is watching us now from up above, supposedly is in a nursing home and I make a contribution. You are not going to be able to solicit me very much to make a contribution to the general fund. If I make a contribution,

I am going to make it directly to that nursing home and hopefully she will get better care. It is plain crazy to think somebody is going to make a contribution to the general fund. How do you explain that to me. You know about this bill, but I cannot read it that way."

Senator Deccio: "Senator Rasmussen, on line 9, it says that the ' . . . department of social and health services shall establish a program which encourages family and friends to publicly supported nursing home patients to contribute toward the costs related to the care of the patients. . . .' And I would suspect that in determining what kind of a system they would use, those payments would be made to the department of social and health services and I think the very fact that line 19 says that it will go into the general fund is to do the very thing that Senator McDermott is talking about.

"The thing is, I do not want to slow up payment of this, the passage of this bill by sending it back to the House with an amendment on it and it has got to be concurred. I would rather just pass it the way it is because it is an important piece of legislation. We are asking the department to set up a system whereby people can voluntarily contribute to their loved ones who are in a nursing home; they cannot do that now."

Senator Rasmussen: "I had one further question. Senator Deccio, I am not going to contribute to the nursing home that my mother is in, so it may go to a nursing home over in Yakima. That is not the way you get voluntary contributions. If you have a loved one in a hospital and they get good service, you make a contribution directly to that hospital to use any way they want to. I think you should send the bill back, Senator, it does not make sense."

Senator Deccio: "Senator, I do not think you understand what this bill does. You cannot make a contribution directly to a nursing home, that money belongs to the state if it is for a state patient, the money has to go directly to the department. You can make the contribution to the nursing home. They must turn around and send it to the department, to go into the general fund."

POINT OF INQUIRY

Senator Clarke: "Speaking against the amendment, Senator McDermott, since this goes into the general fund and will not in any way change, as I see it, the amount of appropriation, monies out of the general fund that go to any individual nursing home and some of the funds that go to a nursing home obviously are used for the purposes which you purport to prohibit here. How, practically, would you expect your proposed amendment to operate?"

Senator McDermott: "Senator Clarke, I presume you are asking me a question and I will respond to it. It is not my bill, it is Senator Deccio's bill to come out here and say we are going to make it possible for people to contribute to the general fund. If you put the money in there, you do not know where it is going to go. I do not know where it is going to go. The department of social and health services will have a bag of money for nursing homes and they will do whatever they want with it. And I am saying that if these people contribute their money for their family for additional physical therapists to come in and spend an hour with their mother or their father, it ought to go to that, it should not go to an administrator of a nursing home, nor should it go for a 240Z for the administrator to drive around and charge off his mileage. (280Z - fine, I am sorry.) The fact is if they are making the contribution, they ought to make sure that it goes to the care of their own family member, not into profit or property segments of the reimbursement system."

Senator Clarke: "Mr. President, how then, Senator McDermott reading from the bill, and perhaps I simply need to be educated but on line 15, it says ' . . . A provider of nursing home services under this chapter shall not indicate to any resident or family member or friend of any resident that the voluntary contribution

under this section is a requirement of care not that it in any way purchases any specific service. . . . So it seems to be the bill itself prohibits the very thing that you are purporting to say that the money should be used for."

POINT OF INQUIRY

Senator Fleming: "Senator Deccio, may I ask, are you planning to withdraw your amendment? You have an amendment on the desk?"

Senator Deccio: "Yes."

Senator Fleming: "Do you plan to withdraw it?"

Senator Deccio: "Right."

Senator Fleming: "Okay, thank you, just wanted to know."

POINT OF INQUIRY

Senator Hayner: "Senator Bottiger, it is not possible for one who is a relative of someone in a nursing home to contribute to that nursing home unless they do give the entire amount, if that person is actually on welfare, and it is being paid by state and federal government. It is not possible for them to do so now; and I have had individuals call me and say, 'I can't pay fifteen hundred dollars for my son or daughter or mother to be in the nursing home but I would like very much to contribute two or three hundred dollars to their care, and I cannot do that. The nursing home directors tell us that that is not possible.'"

Senator Bottiger: "Mr. President, I will take that as a question. Senator Hayner, I will get you the section of the code that permits donations to the general fund and authorizes the issuance for purposes of tax credit as a contribution to a governmental agency. It is permissible right now. We read in the paper every once in a while somebody leaves some money in their will to the state."

MOTION

Senator Rasmussen moved that Substitute House Bill No. 1158 be referred to the Committee on Social and Health Services.

Debate ensued.

The motion by Senator Rasmussen failed.

The President declared the question before the Senate to be the amendment by Senator McDermott.

The motion by Senator McDermott failed and the amendment was not adopted on a rising vote.

Senator Gaspard moved adoption of the following amendment:

On page 1, line 20, after "deposited" strike the remainder of the sentence and insert "in a dedicated account within the general fund for publicly supported nursing home patient care"

Debate ensued.

MOTION

On motion of Senator Clarke, Substitute House Bill No. 1158, together with the pending amendment by Senator Gaspard was ordered held for further consideration at the end of the calendar tonight.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5007, by Committee on Ways and Means (originally sponsored by Senator Scott):

Relating to compensation for public employees.

The Senate resumed consideration of Substitute Senate Bill No. 5007 as amended earlier today.

On motion of Senator Scott, the rules were suspended, Engrossed Substitute Senate Bill No. 5007, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Lysen: "Senator Scott, I have a question on page 2 of the bill, the new language that is underlined there, it says, 'No agency or department of the state may make any payment to an employee for unused or accrued vacation leave upon termination of employment except in case of death.' With the amendment that we added here a few minutes ago, Senator Shinpoch prime sponsored, it was our intent that in the case where you have a layoff and an employee has accumulated a number of days vacation, that his termination date would be extended, say four days, if he has that much coming, to include payment of those four days before his termination would take place, or in a case of an actual firing, that would also be the case. Where he would not be able to put it into his pension in the case of retirement, at the same time he would be allowed to get paid for the money, for the, I am not making myself clear I understand. Let me start again. To allow the four days as the example I gave to collect that payment, is that correct?"

Senator Scott: "It puts the employee that was under contract the same status as the full-time employee that is paid conventionally, and allows that employee to collect up to thirty days of vacation leave and he is also in the same status as the other employee in that he has to either use it or lose it. There is complete equilibrium between the two."

Senator Lysen: "But there is no danger of an employee being terminated for one reason or another who would then in turn lose his accumulated leave time, vacation . . . ?"

Senator Scott: "No, the reverse is true, Senator Lysen. If he has leave time, he is a contract employee, has leave time due him, he can accrue it up to thirty days and incorporate it into his vacation time and use it. Puts him exactly the same status as the employee that is employed full time."

Senator Lysen: "I just wanted to be sure that was the case, Senator Scott. Thank you."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5007, and the bill passed the Senate by the following vote: Yeas, 37; nays, 10; absent or not voting, 1; excused, 1.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Scott, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Woody, Zimmerman—37.

Voting nay: Senators Fleming, Hemstad, Hughes, McDermott, Pullen, Rasmussen, Ridder, Williams, Wilson, Wojahn—10.

Absent or not voting: Senator Deccio—1.

Excused: Senator Talley—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5007, having received the 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. 4368, by Senator Scott:
Relating to revenue and taxation.

MOTION

On motion of Senator Scott, Substitute Senate Bill No. 4368 was not substituted for the original bill.

Senate Bill No. 4368 was read the second time by sections.

Senator Gould moved adoption of the following amendment by Senators Gould and Hemstad:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 8, Laws of 1981 2nd ex. sess. and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to four and (~~one-half~~) one-tenth percent of the selling price: PROVIDED, That from and after the first day of December, 1981, until and including the thirtieth day of (~~June, 1983~~) April, 1982, such tax shall be levied and collected in an amount equal to five and five-tenths percent of the selling price: PROVIDED FURTHER, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, such tax shall be levied and collected in an amount equal to five and one-tenth percent of the selling price.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

NEW SECTION. Sec. 2. (1) If the actual revenues, including penalties and interest collected under chapter 82.32 RCW upon taxes imposed under the chapters enumerated in this section, as:

(a) Collected under chapters 82.04, 82.08, 82.12, 82.16, and 82.26 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through August 10, 1982; and

(b) Collected under RCW 28A.47.440, and chapters 82.24 and 82.45 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through July 31, 1982;

equal or exceed two billion four hundred nine million eight hundred thousand dollars, or are less than or equal to two billion three hundred twenty-nine million eight hundred thousand dollars, then the rate provided in RCW 82.08.020 for the sales and use tax shall be adjusted either downward or upward to generate five billion three hundred thirty million eight hundred thousand dollars in revenues from taxes, imposed under the chapters enumerated in this subsection and under RCW 28A.47.440, for the entire biennium beginning July 1, 1981.

(2) The effective date of the adjustment under subsection (1) of this section shall be September 1, 1982.

(3) If the actual revenues, including penalties and interest collected under chapter 82.32 RCW upon taxes imposed under the chapters enumerated in this subsection, as:

(a) Collected under chapters 82.04, 82.08, 82.12, 82.16, and 82.26 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through November 10, 1982; and

(b) Collected under RCW 28A.47.440, and chapters 82.24 and 82.45 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through October 31, 1982;

equal or exceed three billion one-hundred sixty-six million four hundred thousand dollars, or are less than or equal to three billion sixty-six million four hundred thousand dollars, then the rate provided in RCW 82.08.020 for the sales and use tax shall be adjusted either downward or upward to generate five billion three hundred thirty million eight hundred thousand dollars in revenues from taxes, imposed under the chapters enumerated in this subsection and under RCW 28A.47.440, for the entire biennium beginning July 1, 1981.

(4) The effective date of the adjustment under subsection (3) of this section shall be January 1, 1983.

(5) The department of revenue may adopt rules to implement this act and shall adjust the tax rate in accordance with this section.

Sec. 3. Section 82.08.010, chapter 15, Laws of 1961 as last amended by section 18, chapter 149, Laws of 1967 ex. sess. and RCW 82.08.010 are each amended to read as follows:

For the purposes of this chapter:

(1) "Selling price" means the consideration, whether money, credits, rights, or other property, expressed in the terms of money paid or delivered by a buyer to a seller (—) without any deduction on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes other than federal and state excise taxes on motor vehicle fuel and special fuel, or any other expenses whatsoever paid or accrued and without any deduction on account of losses; but shall not include the amount of cash discount actually taken by a buyer; and shall be subject to modification to the extent modification is provided for in RCW 82.08.080.

When tangible personal property is rented or leased under circumstances that the consideration paid does not represent a reasonable rental for the use of the articles so rented or leased, the "selling price" shall be determined as nearly as possible according to the value of such use at the places of use of similar products of like quality and character under such rules as the department of revenue may prescribe;

(2) "Seller" means every person making sales at retail or retail sales to a buyer or consumer, whether as agent, broker, or principal;

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

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

Sec. 4. Section 23, chapter 37, Laws of 1980 as amended by section 1, chapter 147, Laws of 1980 and RCW 82.08.0255 are each amended to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales of:

(1) Motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes; and

(2) Motor vehicle and special fuel if:

(a) The fuel is purchased for the purpose of public transportation and the purchaser is entitled to a refund or an exemption under RCW 82.36.275 or 82.38.080(8); or

(b) The fuel is ~~((taxable under chapter 82.36 or 82.38 RCW))~~ used in a farm vehicle as defined in RCW 46.04.181.

Sec. 5. Section 82.08.080, chapter 15, Laws of 1961 as last amended by section 48, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.080 are each amended to read as follows:

(1) The department of revenue shall promulgate rules for the collection of the tax upon the sale of motor vehicle fuel or special fuel which permit the seller to include the tax as part of the selling price of the fuel.

(2) The department of revenue may authorize a seller to pay the tax levied under this chapter upon retail sales of tangible personal property or services made through vending machines and similar devices or where sales are made under conditions of business such as to render impracticable the collection of the tax as a separate item and waive collection of the tax from the customer.

(3) Where sales are made by receipt of a coin or coins dropped into a receptacle that results in delivery of the merchandise in single purchases of smaller value than the minimum sale upon which a one cent tax may be collected from the purchaser, according to the schedule provided by the department under authority of RCW 82.08.060, and where the design of the sales device is such that multiple sales of items are not possible or cannot be detected so as practically to assess a tax, in such a case the selling price for the purposes of the tax imposed under RCW 82.08.020 shall be sixty percent of the gross receipts of the vending machine through which such sales are made. No such authority shall be granted except upon application to the department and unless the department, after hearing, finds that the conditions of the applicant's business are such as to render impracticable the collection of the tax in the manner otherwise provided.

(4) The department, by regulation, may provide that the applicant, under this section, furnish a proper bond sufficient to secure the payment of the tax.

Sec. 6. Section 56, chapter 37, Laws of 1980 as amended by section 2, chapter 147, Laws of 1980 and RCW 82.12.0256 are each amended to read as follows:

The provisions of this chapter shall not apply in respect to the use of:

(1) Motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes; and

(2) Motor vehicle and special fuel if:

(a) The fuel is used for the purpose of public transportation and the purchaser is entitled to a refund or an exemption under RCW 82.36.275 or 82.38.080(8); or

(b) The fuel is ~~((taxable under chapter 82.36 or 82.38 RCW. PROVIDED, That the use of motor vehicle and special fuel upon which a refund of the applicable fuel tax is obtained shall not be exempt under this subsection (2)(b), and the director of licensing shall deduct from the amount of such tax to be refunded the amount of tax due under this chapter and remit the same each month to the department of revenue))~~ used in a farm vehicle as defined in RCW 46.04.181.

Sec. 7. Section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 144, Laws of 1981 and RCW 82.04.050 are each amended to read as follows:

"Sale at retail" or "retail sale" means every sale of tangible personal property (including articles produced, fabricated, or imprinted) to all persons irrespective of the nature of their business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than a sale to a person who (a) purchases for the purpose of resale as tangible personal property in the regular course

of business without intervening use by such person, or (b) installs, repairs, cleans, alters, imprints, improves, constructs, or decorates real or personal property of or for consumers, if such tangible personal property becomes an ingredient or component of such real or personal property without intervening use by such person, or (c) purchases for the purpose of consuming the property purchased in producing for sale a new article of tangible personal property or substance, of which such property becomes an ingredient or component or is a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale, or (d) purchases for the purpose of providing the property to consumers as part of competitive telephone service, as defined in RCW 82.16.010. The term shall include every sale of tangible personal property which is used or consumed or to be used or consumed in the performance of any activity classified as a "sale at retail" or "retail sale" even though such property is resold or utilized as provided in (a), (b), (c), or (d) above following such use. The term also means every sale of tangible personal property to persons engaged in any business which is taxable under RCW 82.04.280, subsections (2) and (7) and RCW 82.04.290.

The term "sale at retail" or "retail sale" shall include the sale of or charge made for tangible personal property consumed and/or for labor and services rendered in respect to the following: (a) The installing, repairing, cleaning, altering, imprinting, or improving of tangible personal property of or for consumers, including charges made for the mere use of facilities in respect thereto, but excluding charges made for the use of coin operated laundry facilities when such facilities are situated in an apartment house, hotel, motel, rooming house, trailer camp or tourist camp for the exclusive use of the tenants thereof, and also excluding sales of laundry service to members by nonprofit associations composed exclusively of nonprofit hospitals(~~(; and excluding services rendered in respect to live animals, birds and insects)~~); (b) the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for consumers, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, and shall also include the sale of services or charges made for the clearing of land and the moving of earth excepting the mere leveling of land used in commercial farming or agriculture; (c) the sale of or charge made for labor and services rendered in respect to the cleaning, fumigating, razing or moving of existing buildings or structures(~~(, but shall not include the charge made for janitorial services; and for purposes of this section the term "janitorial services" shall mean those cleaning and caretaking services ordinarily performed by commercial janitor service businesses including, but not limited to, wall and window washing, floor cleaning and waxing, and the cleaning in place of rugs, drapes and upholstery. The term "janitorial services" does not include painting, papering, repairing, furnace or septic tank cleaning, snow removal or sandblasting)~~); (d) the sale of or charge made for labor and services rendered in respect to automobile towing and similar automotive transportation services, but not in respect to those required to report and pay taxes under chapter 82.16 RCW; (e) the sale of and charge made for the furnishing of lodging and all other services by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, and it shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same; (f) the sale of or charge made for tangible personal property, labor and services to persons taxable under (a), (b), (c), (d), and (e) above when such sales or charges are for property, labor and services which are used or consumed in whole or in part by such persons in the performance of any activity defined as a "sale at retail" or "retail sale" even

though such property, labor and services may be resold after such use or consumption. Nothing contained in this paragraph shall be construed to modify the first paragraph of this section and nothing contained in the first paragraph of this section shall be construed to modify this paragraph.

The term "sale at retail" or "retail sale" shall include the sale of or charge made for (~~(personal business or professional)~~) certain services, including amounts designated as interest, rents, fees, admission, and other service emoluments however designated, received by persons engaging in the following business activities; (a) entertainment services and athletic events, including but not limited to amusement and recreation businesses ((including but not limited to golf, pool, billiards, skating, bowling, ski lifts and tows and others)) of participatory and spectator types, commercial television service providers, and coin-operated amusement and recreation devices; (b) financial services, including but not limited to abstract, title insurance ((and)), escrow ((businesses)), collection, stock brokering, auctioneering, bail bonding, credit card services, and insurance adjusting; (c) business support services, including but not limited to credit bureaus ((businesses)), addressing, mailing, packaging, stenographic, computer, data processing, clipping, telephone and message services, chemists and research development laboratories; (d) property services, performed upon or related to real or tangible personal property of or for consumers including but not limited to kennel and stable operators, appraisers, automobile parking and storage garage businesses, warehousing, stevedoring, janitorial services, refuse collection, interior decorating services, and rentals or leases of tangible personal property to consumers; and (e) personal services including but not limited to beauty and barber shops, health and fitness studios, charges for personal instruction and lessons, and all other charges for physical or self-improvement, excluding medical treatment.

((The term shall also include the renting or leasing of tangible personal property to consumers:))

The term shall also include the providing of competitive telephone service as defined in RCW 82.16.010.

The term "sale at retail" or "retail sale" shall not include professional services or any services rendered directly in relation to physical and psychological medical treatment or diagnosis of any human being or animal, nor to post-mortem services in relation thereto, nor to social and/or health service programs, nor to amounts derived by real estate brokers, salespersons, or agents which are subject to real estate excise tax under RCW 82.45.060, nor to amounts derived by insurance brokers, salespersons, or agents which are subject to insurance premiums tax under RCW 48.14.020, nor to amounts representing interest income from loans, investments, or financial transactions other than sales of tangible personal property or retail services.

The term shall not include the sale of or charge made for labor and services rendered in respect to the building, repairing, or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind, nor shall it include sales of feed, seed, fertilizer, and spray materials to persons for the purpose of producing for sale any agricultural product whatsoever, including milk, eggs, wool, fur, meat, honey, or other substances obtained from animals, birds, or insects but only when such production and subsequent sale are exempt from tax under RCW 82.04.330, nor shall it include sales of chemical sprays or washes to persons for the purpose of post-harvest treatment of fruit for the prevention of scald, fungus, mold, or decay.

The term shall not include the sale of or charge made for labor and services rendered in respect to the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing, or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation. Nor shall the term include the sale of services or charges made for the clearing of land and the moving of earth of or for the United States, any instrumentality thereof, or a county or city housing authority.

Sec. 8. Section 82.04.060, chapter 15, Laws of 1961 and RCW 82.04.060 are each amended to read as follows:

"Sale at wholesale" or "wholesale sale" means any sale of tangible personal property or services which is not a sale at retail, except any sale of services specifically excluded from the definition of "sale at retail" or "retail sale" under RCW 82.04.050, and means any charge made for labor and services rendered for persons who are not consumers, in respect to real or personal property or services, if such charge is expressly defined as a retail sale by RCW 82.04.050 when rendered to or for consumers: PROVIDED, That the term "real or personal property" as used in this section shall not include any natural products named in RCW 82.04.100.

Sec. 9. Section 82.04.190, chapter 15, Laws of 1961 as last amended by section 2, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.190 are each amended to read as follows:

"Consumer" means the following:

(1) Any person who purchases, acquires, owns, holds, or uses any article of tangible personal property irrespective of the nature of his business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than for the purpose (a) of resale as tangible personal property in the regular course of business or (b) of incorporating such property as an ingredient or component of real or personal property when installing, repairing, cleaning, altering, imprinting, improving, constructing, or decorating such real or personal property of or for consumers or (c) of consuming such property in producing for sale a new article of tangible personal property or a new substance, of which such property becomes an ingredient or component or as a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale;

(2) Any person engaged in any business activity taxable under RCW 82.04.290 and any person who purchases, acquires, or uses any retail services, as set forth in RCW 82.04.050, other than for resale in the regular course of business;

(3) Any person engaged in the business of contracting for the building, repairing or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state of Washington or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind as defined in RCW 82.04.280, in respect to tangible personal property when such person incorporates such property as an ingredient or component of such publicly owned street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle by installing, placing or spreading the property in or upon the right of way of such street, place, road, highway, easement, bridge, tunnel, or trestle or in or upon the site of such mass public transportation terminal or parking facility;

(4) Any person who is an owner, lessee or has the right of possession to or an easement in real property which is being constructed, repaired, decorated, improved, or otherwise altered by a person engaged in business, excluding only (a) municipal corporations or political subdivisions of the state in respect to labor and services rendered to their real property which is used or held for public road purposes, and (b) the United States, instrumentalities thereof, and county and city housing authorities created pursuant to chapter 35.82 RCW in respect to labor and services rendered to their real property. Nothing contained in this or any other subsection of this definition shall be construed to modify any other definition of "consumer";

(5) Any person who is an owner, lessee, or has the right of possession to personal property which is being constructed, repaired, improved, cleaned, imprinted, or otherwise altered by a person engaged in business;

(6) Any person engaged in the business of constructing, repairing, decorating, or improving new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation. Any such person shall be a consumer within the meaning of this subsection in respect to tangible personal property incorporated into, installed in, or attached to such building or other structure by such person.

Sec. 10. Section 82.04.460, chapter 15, Laws of 1961 as amended by section 9, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.460 are each amended to read as follows:

(1) Any person rendering services taxable under RCW 82.04.250, 82.04.270, or 82.04.290 and maintaining places of business both within and without this state which contribute to the rendition of such services shall, for the purpose of computing tax liability under RCW 82.04.250, 82.04.270, or 82.04.290, apportion to this state that portion of his gross income which is derived from services rendered within this state. Where such apportionment cannot be accurately made by separate accounting methods, the taxpayer shall apportion to this state that proportion of his total income which the cost of doing business within the state bears to the total cost of doing business both within and without the state.

(2) Notwithstanding the provision of subsection (1) of this section, persons doing business both within and without the state who receive gross income from service charges, as defined in RCW 63.14.010(8) (relating to amounts charged for granting the right or privilege to make deferred or installment payments) or who receive gross income from engaging in business as financial institutions within the scope of chapter 82.14A RCW (relating to city taxes on financial institutions) shall apportion or allocate gross income taxable under RCW 82.04.290 to this state pursuant to rules promulgated by the department consistent with uniform rules for apportionment or allocation developed by the states.

Sec. 11. Section 82.04.470, chapter 15, Laws of 1961 as amended by section 43, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.470 are each amended to read as follows:

Unless a seller has taken from the purchaser a resale certificate signed by, and bearing the name and address and registration number of the purchaser to the effect that the property or service was purchased for resale, or unless the nature of the transaction is clearly shown as a sale at wholesale by the books and records of the taxpayer in such other manner as the department of revenue shall by regulation provide, the burden of proving that a sale of tangible personal property or service, except any services specifically excluded from the definition of "sale at retail" or "retail sale" under RCW 82.04.050, was not a sale at retail shall be upon the person who made it.

NEW SECTION. Sec. 12. There is added to chapter 82.08 RCW a new section to read as follows:

Any person rendering services taxable under RCW 82.08.020 and maintaining places of business both within and without this state which contribute to the rendition of the services shall, for the purpose of computing tax liability under RCW 82.08.020 and 82.08.050, apportion to this state that portion of his gross proceeds of sales to persons within this state which is derived from services rendered within this state. Where the apportionment cannot be accurately made by separate accounting methods, the taxpayer shall apportion to this state that portion of his gross proceeds of sales which the cost of doing business within this state bears to the total cost of doing business both within and without this state.

Sec. 13. Section 3, chapter 94, Laws of 1970 ex. sess. as last amended by section 1, chapter ... (SSB 4859), Laws of 1982 1st ex. sess. and RCW 82.14.020 are each amended to read as follows:

For purposes of this chapter:

(1) A retail sale consisting solely of the sale of tangible personal property shall be deemed to have occurred at the retail outlet at or from which delivery is made to the consumer;

(2) A retail sale consisting essentially of ~~((the performance of personal business or professional))~~ services shall be deemed to have occurred at the place at which such services were primarily performed;

(3) A retail sale consisting of the rental of tangible personal property shall be deemed to have occurred (a) in the case of a rental involving periodic rental payments, at the primary place of use by the lessee during the period covered by each payment, or (b) in all other cases, at the place of first use by the lessee;

(4) A retail sale within the scope of the second paragraph of RCW 82.04.050, and a retail sale of taxable personal property to be installed by the seller shall be deemed to have occurred at the place where the labor and services involved were primarily performed;

(5) A retail sale consisting of the providing to a consumer of competitive telephone service, as defined in RCW 82.16.010, other than a sale of tangible personal property under subsection (1) of this section or a rental of tangible personal property under subsection (3) of this section, shall be deemed to have occurred at the situs of the primary telephone or other instrument through which the competitive telephone service is rendered;

(6) "City" means a city or town;

(7) The meaning ascribed to words and phrases in chapters 82.04, 82.08 and 82.12 RCW, as now or hereafter amended, insofar as applicable, shall have full force and effect with respect to taxes imposed under authority of this chapter;

(8) "Taxable event" shall mean any retail sale, or any use of an article of tangible personal property, upon which a state tax is imposed pursuant to chapter 82.08 or 82.12 RCW, as they now exist or may hereafter be amended; PROVIDED, HOWEVER, That the term shall not include a retail sale taxable pursuant to RCW 82.08.150, as now or hereafter amended;

(9) "Treasurer or other legal depository" shall mean the treasurer or legal depository of a county or city.

NEW SECTION. Sec. 14. The following acts or parts of acts are each repealed:

(1) Section 49, chapter 37, Laws of 1980, section 3, chapter 86, Laws of 1980, section 1, chapter 18, Laws of 1981 and RCW 82.08.0284; and

(2) Section 76, chapter 37, Laws of 1980, section 4, chapter 86, Laws of 1980 and RCW 82.12.0278.

NEW SECTION. Sec. 15. The purpose of sections 16 through 42 of this act is to give the voters a choice at the next general election to remove the sales and use

tax on food products for human consumption by substituting for this tax a flat-rate one percent adjusted gross income tax.

NEW SECTION. Sec. 16. **INTENT.** It is the intent of the legislature in the adoption of this title to provide adequate revenues for the support of vital services for the people of this state, to promote equity in its tax structure, and to guarantee full funding of a basic program of education, as defined by the legislature.

NEW SECTION. Sec. 17. **DEFINITIONS.** Unless the context clearly requires otherwise, the definitions in this section apply throughout this title.

(1) "Department" means the state department of revenue.

(2) "Adjusted gross income" means adjusted gross income as defined in section 62 of the Internal Revenue Code less two thousand dollars for a single return and four thousand dollars for a joint return and less two thousand dollars for each of the taxpayer's dependents, if the taxpayer is entitled to a deduction for the dependent under section 151 of the Internal Revenue Code.

(3) "Internal Revenue Code" means the United States Internal Revenue Code of 1954 and amendments thereto, as in effect on the effective date of this section.

(4) "Taxpayer" means a natural person, an estate, or a trust but does not include partnerships, associations, or corporations.

NEW SECTION. Sec. 18. **TAX IMPOSED.** There is levied and shall be collected from every taxpayer a tax computed at the rate of one percent of the taxpayer's adjusted gross income.

NEW SECTION. Sec. 19. **ALLOCATION OF INCOME.** All income is allocable to this state except income which is allocable to another state under RCW 82.56.010.

NEW SECTION. Sec. 20. **EMPLOYER WITHHOLDING—REQUIREMENTS.** (1) Pursuant to the rules of the department, every employer maintaining an office or transacting business within this state and paying wages or salaries taxable under this title shall deduct and withhold a tax as prescribed and every employer making such a deduction and withholding shall furnish to the employee a record of the amount of tax deducted and withheld from the employee.

(2) If the employee is a resident of this state and earns income from personal services entirely performed in another state which imposes an income tax on the income and the employer is required by the laws of the state in which the income is earned to withhold state income taxes for the state and does in fact do so, then the employer is not required to withhold any tax imposed by this title on the income if the laws of the state in which the income is earned allows a similar exemption for its residents who earn income in this state.

NEW SECTION. Sec. 21. **LIABILITY OF EMPLOYER FOR TAX WITHHELD.** Any person required to deduct or withhold the tax imposed by this title is liable for the payment of this amount to the department, and the amount of tax so deducted or withheld shall be held to be a special fund in trust for this state.

NEW SECTION. Sec. 22. **WITHHOLDING BY GOVERNMENTAL ENTITY.** If the employer is the United States or this state or any political subdivision thereof, or an agency or instrumentality of any one or more of the foregoing, then the return of the amount deducted and withheld upon any wages or salaries may be made by any officer of the employer having control of the payment of the wages and salaries or appropriately designated for that purpose.

NEW SECTION. Sec. 23. **CREDIT FOR TAX WITHHELD—HOW CLAIMED.** The amount deducted and withheld as tax under sections 20 through 22 of this act during any taxable year shall be allowed as a credit against the tax imposed for the taxable year by this title. If the tax liability of any individual shown by the return is less than the total amount of the credit which the individual is entitled to claim under this section, the individual is entitled to a refund in the amount of the excess of the credit over the tax otherwise due. If any individual entitled to

claim a credit under this section is not otherwise required by this title to file a return, a refund may be obtained in the amount of the credit by filing a return, completed insofar as may be applicable, and claiming the refund. No credit or refund is allowed under this section unless the credit or refund is claimed on a return filed for the taxable year for which the amount was deducted and withheld.

NEW SECTION. Sec. 24. **METHOD OF ACCOUNTING.** (1) A taxpayer's method of accounting for purposes of the tax imposed under this title shall be the same as the taxpayer's method of accounting for federal income tax purposes. If no method of accounting has been regularly used by a taxpayer for federal income tax purposes, tax due under this title shall be computed by a method of accounting which in the opinion of the department fairly reflects income.

(2) If a person's method of accounting is changed for federal income tax purposes, it shall be similarly changed for purposes of this title.

NEW SECTION. Sec. 25. **JOINT RETURN—FEDERAL ELECTION.** A joint return may be filed under the same conditions under which a joint return may be filed for purposes of the federal income tax. When a joint return is made by husband and wife under the Internal Revenue Code, a joint return shall be made under this title. In any case in which a joint return is filed under this section, the liability of the husband and wife is joint and several.

NEW SECTION. Sec. 26. **RECORDS—RETURNS.** (1) Every person liable for the tax imposed under this title, or for the collection thereof, shall keep such records, render such statements, make such returns, and comply with such rules as the department may from time to time prescribe.

(2) All books and records and other papers and documents which are required by this title to be kept shall be subject to inspection by the department at all times during business hours of the day.

NEW SECTION. Sec. 27. **ADMINISTRATION—OVERPAYMENTS—CREDIT ON REFUND—DEFICIENCIES—PENALTIES—LIENS.** (1) All provisions of the Internal Revenue Code relating to the time and manner of making returns and paying the tax imposed by this title, the verification of returns, presumption of authenticity of signatures, the time when a return is deemed filed, the power of the secretary to prepare and execute returns, to prescribe forms, and to enforce collection of the tax through seizure or lien and to impose penalties shall apply to the administration of this title. The department by regulation may modify or adjust the provisions as it deems necessary.

(2) The department may allow appropriate credits or may refund all taxes improperly paid or collected.

(3) The state treasurer, upon receipt of any payments of tax, penalty, interest, or fees collected under this title, shall deposit ninety percent of the collections into the general fund and ten percent of the collections into the local government assistance account, hereby created in the general fund. Moneys in the local government assistance account shall be distributed to counties, cities, and towns according to a procedure adopted by the legislature in 1983.

(4) RCW 82.32.090 (second paragraph only), 82.32.110, 82.32.120, 82.32.130, 82.32.320, and 82.32.340 shall apply to the administration of the taxes imposed under this title.

NEW SECTION. Sec. 28. **PERIODS OF LIMITATIONS.** The provisions of the Internal Revenue Code relating to periods of limitation upon assessment and collection of federal income taxes shall apply to the assessment and collection of taxes imposed by this title: **PROVIDED,** That if a taxpayer fails to report a change or correction increasing his federal taxable income, or fails to report a change or correction which is treated in the same manner as if it were a deficiency for federal income tax purposes, an assessment may be made at any time within one year of the date on which the department first learns of the correction.

NEW SECTION. Sec. 29. **EVASION—PENALTY.** Any person required to collect, truthfully account for, and pay over any tax imposed by this title who wilfully fails to collect the tax or truthfully account for and pay over such tax, or who wilfully attempts in any manner to evade or defeat any such tax or the payment thereof, is, in addition to other penalties provided by law, liable for a penalty equal to the total amount of the tax evaded, not collected, or not accounted for and paid over.

NEW SECTION. Sec. 30. **INTEREST ON REFUND AND DEFICIENCIES.** Interest on underpayments and erroneous refunds shall be paid by the taxpayer, and on overpayments shall be paid by the department, at the rate in accordance with the provisions of the Internal Revenue Code relating thereto.

NEW SECTION. Sec. 31. **TRANSFEREE LIABILITY.** The provisions of the Internal Revenue Code relating to the liability of transferees of property and of fiduciaries, including those relating to the imposition of liability, the method of collection, and the period of limitation, shall apply to the taxes imposed under this title.

NEW SECTION. Sec. 32. **CLOSING AGREEMENTS AND COMPROMISES.** The provisions of the Internal Revenue Code relating to closing agreements and compromises shall apply under this title.

NEW SECTION. Sec. 33. **SERVICE OF PROCESS.** (1) Any person who incurs tax liability under this title and who removes from this state or conceals his whereabouts shall be considered to appoint the secretary of state of this state as the person's agent for service of process or notice in any judicial or administrative proceeding under this title. This process or notice shall be served by the department on the secretary of state by leaving at the office of the secretary of state, at least fifteen days before the return day of the process or notice, a certified copy thereof and by sending to the person, by registered or certified mail, a certified copy with an endorsement thereon of the service upon the secretary of state, addressed to the person at the person's last known address.

(2) Service of process or notice in the manner and under the circumstances provided in this section shall be of the same force and validity as if served upon the person personally within this state. Proof of this service may be made in any judicial or administrative proceeding by the affidavit of the authorized agent of the department who made the service, with a copy of the process or notice that was so served attached to the affidavit.

NEW SECTION. Sec. 34. **DEFICIENCY PROCEDURE.** All provisions of the Internal Revenue Code relating to income tax deficiency procedures, including the provisions thereof relating to notice of deficiency, jurisdiction to review deficiencies, and procedures for invoking this jurisdiction shall apply under this title.

NEW SECTION. Sec. 35. **CONFIDENTIALITY.** Any facts or information contained in any return filed by any taxpayer or disclosed in any investigation or examination of the taxpayer's books and records made in connection with the administration of this title shall be subject to RCW 82.32.330.

NEW SECTION. Sec. 36. **RULES.** The department may adopt rules under chapter 34.04 RCW for the administration and enforcement of this title. The rules, insofar as possible without being inconsistent with this title, shall follow the rulings of the United States internal revenue service with respect to the federal income tax. The department may adopt as a part of these rules any portions of the Internal Revenue Code or rulings, in whole or in part. These rules shall include provisions for (1) the keeping and inspection of records and other information, (2) submittal of information, including a copy of any federal tax return, (3) the time and manner of payment of the tax, (4) claims for credits or refunds, (5) assessment of penalties and additions to the tax (other than the fifty percent addition to the tax for fraudulent

failure to pay the tax and the five percent addition to the tax for negligent underpayments), (6) the period of limitation upon the assessment and collection of taxes, and (7) employer deduction and withholding and remittance requirements.

NEW SECTION. Sec. 37. **BOARD OF TAX APPEALS JURISDICTION.** Jurisdiction is hereby conferred on the state board of tax appeals to review income tax deficiencies. In all cases under this section:

(1) The taxpayer or the department may elect either a formal or informal hearing, the election to be made according to rules of practice and procedure adopted by the board; and

(2) RCW 82.03.100 through 82.03.120 and RCW 82.03.150 through 82.03.170 shall apply with respect to hearings and decisions.

NEW SECTION. Sec. 38. **JUDICIAL REVIEW ON APPEAL FROM BOARD.** Within thirty days after the final decision of the board in a case under section 37 of this act in which a formal hearing is elected, the taxpayer or the department may appeal to the court of appeals. The appeal shall be perfected by filing with the clerk of the court of appeals a petition for review and by serving a copy thereof by mail or personally on the opposing party. The petitioner shall pay the costs of preparing the record of the hearing, and thereafter the board shall file with the clerk of the court the original or a certified copy of the entire record of the proceeding under review. RCW 34.04.130(6) shall apply to this review, and a bond shall be required for the review if requested by the department. The appropriate division of the court of appeals in which the petition for review is to be filed shall be, at the option of the petitioner, either division II or that division containing the district in which is located the petitioner's residence or principal place of business.

The method of judicial review of the board of tax appeals decision provided for in this section is exclusive. Nothing in this section prevents an appeal from the court of appeals to the state supreme court in the same manner as in other civil cases. There shall be no judicial review of a final decision of the board in which a formal hearing has not been elected.

NEW SECTION. Sec. 39. **JUDICIAL REVIEW OF CLAIM FOR REFUND.** Any person having filed a claim for refund or credit on any tax, penalty, or other sum collected under this title may, within the applicable period of limitation provided for in section 28 of this act, sue for a refund or credit on the tax, penalty, or other sum in the superior court of Thurston county. All procedures and rights of appeal governing other civil actions shall apply to these proceedings.

This section shall not apply to any tax payment which has been the subject of an appeal to the state board of tax appeals with respect to which a formal hearing has been held.

NEW SECTION. Sec. 40. There is added to chapter 82.08 RCW a new section to read as follows:

(1) The tax levied by RCW 82.08.020 shall not apply to sales of food products for human consumption.

"Food products" include cereals and cereal products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products.

"Food products" include milk and milk products, milk shakes, malted milks, and any other similar type beverages which are composed at least in part of milk or a milk product and which require the use of milk or a milk product in their preparation.

"Food products" include all fruit juices, vegetable juices, and other beverages except bottled water, spirituous, malt or vinous liquors or carbonated beverages, whether liquid or frozen.

"Food products" do not include medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.

The exemption of "food products" provided for in this subsection shall not apply: (a) When the food products are furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware whether provided by the retailer or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, except for food products furnished as meals under a state administered nutrition program for the aged as provided for in the Older American Act (P.L. 95-478 Title III) and RCW 74.38.040(6), or (b) when the food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location, even though such products are sold on a "takeout" or "to go" order and are actually packaged or wrapped and taken from the premises of the retailer, or (c) when the food products are sold for consumption within a place, the entrance to which is subject to an admission charge, except for national and state parks and monuments.

(2) Subsection (1) of this section notwithstanding, the retail sale of food products is subject to sales tax under RCW 82.08.020 if the food products are sold through a vending machine, and in this case the selling price for purposes of RCW 82.08.020 is fifty-seven percent of the gross receipts.

This subsection does not apply to hot prepared food products, other than food products which are heated after they have been dispensed from the vending machine.

For tax collected under this subsection, the requirements that the tax be collected from the buyer and that the amount of tax be stated as a separate item are waived.

NEW SECTION. Sec. 41. There is added to chapter 82.12 RCW a new section to read as follows:

The provisions of this chapter shall not apply in respect to the use of food products for human consumption.

"Food products" include cereals and cereal products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products.

"Food products" include milk and milk products, milk shakes, malted milks, and any other similar type beverages which are composed at least in part of milk or a milk product and which require the use of milk or a milk product in their preparation.

"Food products" include all fruit juices, vegetable juices, and other beverages except bottled water, spirituous, malt or vinous liquors or carbonated beverages, whether liquid or frozen.

"Food products" do not include medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.

The exemption of "food products" provided for in this paragraph shall not apply: (a) When the food products are furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware whether provided by the retailer or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, except for food products furnished as meals under a state administered nutrition program for the aged as provided for in the Older American Act (P.L. 95-478 Title III) and RCW 74.38.040(6), or (b) when the food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location, even though such products are

sold on a "takeout" or "to go" order and are actually packaged or wrapped and taken from the premises of the retailer, or (c) when the food products are sold for consumption within a place, the entrance to which is subject to an admission charge, except for national and state parks and monuments.

NEW SECTION. Sec. 42. Sections 16 through 41 of this act shall take effect on January 1, 1983.

NEW SECTION. Sec. 43. Sections 16 through 39 of this act shall be codified as a new title in the Revised Code of Washington, to be numbered Title 82A.

Section captions constitute no part of the law.

NEW SECTION. Sec. 44. 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. 45. Sections 15 through 42 of this act shall be submitted to the people for their adoption and ratification, or rejection, at the next succeeding general election to be held in this state, in accordance with Article II, section 1 of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof.

NEW SECTION. Sec. 46. There is appropriated from the general fund to the department of revenue for the biennium ending June 30, 1983, the sum of fifty thousand dollars, or so much thereof as may be necessary, to carry out the purposes of sections 16 through 39 of this act.

The appropriation in this section is contingent upon approval of sections 15 through 42 of this act by the voters at the general election held in November, 1982.

NEW SECTION. Sec. 47. Section 1 of this act and sections 3 through 14 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 May 1, 1982."

Senator Pullen moved the following amendments by Senators Pullen, McCaslin, Hurley, Rasmussen, Quigg, Vognild, Gallagher, Haley, Craswell, and von Reichbauer to the amendment by Senators Gould and Hemstad be considered and adopted simultaneously:

On page 25, line 29, strike "by substituting for this tax" and insert "or to approve or reject"

On page 42, after line 21, insert "This referendum shall be placed on the ballot as two interdependent propositions. The first proposition will allow the people to accept or reject either tax. If a majority of the voters reject the first proposition neither tax shall take effect. The second proposition will allow the people to choose which tax they would prefer and shall take effect only if a majority of the voters accept the first proposition. Only the tax receiving the most affirmative votes will take effect."

POINT OF INQUIRY

Senator Goltz: "Senator Pullen, I am a little confused the way this amendment is drafted, because it appears to me that a voter would not be able to vote in favor of both taxes if they wanted to. Is that correct?"

Senator Pullen: "That is exactly the way the Gould amendment would provide for. The Gould amendment would provide that they get a choice either the sales tax on food or an income tax, and this amendment merely says that they can reject both taxes if they so desire."

Senator Goltz: "Can they accept both taxes if they desire?"

Senator Pullen: "No, they cannot and they cannot under the terms of the original Gould amendment, either."

Senator Goltz: "If you trust the voters, why not give them the opportunity for those thousands of voters that would like to have both taxes? Why don't you give them an opportunity?"

Senator Pullen: "If you would like to do that, Senator Goltz, I am sure that this legislature will take your amendment and vote on it accordingly."

Further debate ensued.

POINT OF INQUIRY

Senator Fleming: "Senator Gould, recognizing that this is somewhat of a new concept, innovative and all those good words you might call it, could you tell me what most of the testimony at the hearing on this measure, was it for it or against it?"

Senator Gould: "Senator Fleming, as you well know, there was not hearing on this"

Senator Fleming: "I do not know that, that is why I am asking."

Senator Gould: "Are you on the ways and means committee?"

Senator Fleming: "Yes, but they had them when I was not there and they have them when none of us was there. . . ."

Senator Gould: "There was no hearing"

Senator Fleming: "No hearing; thank you very much."

Further debate ensued.

Senator von Reichbauer demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senators Pullen and others to the amendment by Senators Gould and Hemstad.

ROLL CALL

The Secretary called the roll and the amendment to the amendment was adopted by the following vote: Yeas, 27; nays, 20; absent or not voting, 1; excused, 1.

Voting yea: Senators Benitz, Clarke, Conner, Craswell, Fleming, Gallagher, Gaspard, Goltz, Guess, Haley, Hughes, Hurley, Lysen, McCaslin, McDermott, Moore, Newhouse, Peterson, Pullen, Quigg, Rasmussen, Sellar, Vognild, von Reichbauer, Wilson, Wojahn, Woody—27.

Voting nay: Senators Bauer, Bluechel, Bottiger, Charnley, Deccio, Fuller, Gould, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Metcalf, Patterson, Ridder, Scott, Shinpoch, Talmadge, Williams, Zimmerman—20.

Absent or not voting: Senator Lee—1.

Excused: Senator Talley—1.

MOTION

Senator Gould moved the amendment by Senators Gould and Hemstad as amended be withdrawn.

Debate ensued.

PARLIAMENTARY INQUIRY

Senator Clarke: "What is before the body?"

REPLY BY THE PRESIDENT

President Cherberg: "The question raised by Senator Gould that she would like to withdraw the amendment. And Senator Bottiger"

PARLIAMENTARY INQUIRY

Senator Clarke: "Is that a debatable, if a member moves to withdraw an amendment, unless there is an objection to withdrawal, is that a debatable item?"

POINT OF ORDER

Senator Fleming: "Mr. President, I think that Senator Bottiger was making a motion, and Senator Gould just amended the motion, and I think the motion can be spoken to."

REPLY BY THE PRESIDENT

President Cherberg: "Senator Gould made the motion and Senator Bottiger requested the opportunity to speak upon the motion. The President believes a word of explanation might clarify the situation."

PARLIAMENTARY INQUIRY

Senator Clarke: "By the person who wishes to withdraw the amendment, Mr. President?"

REPLY BY THE PRESIDENT

President Cherberg: "If Senator Gould would like to speak first, that is certainly her privilege, Senator Clarke."

POINT OF INQUIRY

Senator Gould: "Senator Bottiger,"

Senator Bottiger: "Senator Gould, I was about to comment that we have set a record here tonight; we have passed two bills in the 5000 area and never before have we ever even duped one in the 5000 area, let alone pass it. As to this amendment, the unfortunate thing is that it came out so late. Forty-three pages of amendments which apparently Senator Pullen saw an earlier draft so he could even prepare an amendment. This was one of the ideas we tried to circulate through the committees that were appointed trying to look for a solution, but that was obviously run out here as just a trial just like the income tax was last night and I think that is very unfortunate. It does not appear to me to be the workmanship of somebody trying to resolve the issues before this legislature and get out of here this weekend."

Senator McDermott objected to the withdrawing of the amendment by Senator Gould and Hemstad, as amended.

POINT OF ORDER

Senator Gould: "Was that accepted as a form of a motion? If not, I would like to make it as a motion."

RULING BY THE PRESIDENT

President Cherberg: "Senator Gould, the President believes that this particular question lies in the same area as 'reconsideration.' If one Senator objects to the withdrawal of the amendment that is sufficient."

PARLIAMENTARY INQUIRY

Senator Gould: "Then I cannot make a motion to withdraw?"

REPLY BY THE PRESIDENT

President Cherberg: "Not if one objects."

Senator Gould: "Thank you, Mr. President."

MOTION

Senator Hemstad moved that further consideration of the amendment by Senators Gould and Hemstad as amended be considered following consideration of other amendments on the desk of the Secretary of the Senate.

Debate ensued.

POINT OF ORDER

Senator Peterson: "A point of further information, Mr. President. Whose amendment is this and where is it coming from? There is no name on the amendment and it is pretty customary that anything that is distributed, at least is identified.

"I will raise a point of order, Mr. President, as to whether this was on our desk in proper form?"

REPLY BY THE PRESIDENT

President Cherberg: "Your point of order is well taken, Senator Peterson. The rules state that no one shall distribute anything on the Senators' desks without a signature."

PARLIAMENTARY INQUIRY

Senator Talmadge: "A point of further parliamentary inquiry, Mr. President. If that is the case, and there is nothing else waiting and pending before the body, the Gould and Hemstad amendment is up for consideration at this moment, would it not be?"

REPLY BY THE PRESIDENT

President Cherberg: "The body has not acted upon Senator Hemstad's motion, Senator."

PARLIAMENTARY INQUIRY

Senator Clarke: "A matter a parliamentary inquiry. It is proper, is it not, when there are several striking amendments, for the body to consider them in order until one striking amendment has been adopted?"

REPLY BY THE PRESIDENT

President Cherberg: "Yes, Senator."

REMARKS BY SENATOR CLARKE

Senator Clarke: "And that, in substance, is the procedure which we are intending to follow, thank you."

POINT OF INQUIRY

Senator McDermott: "Senator Hemstad, I was one of those who voted on the prevailing side on the amendment. I would be willing to reconsider that vote if you

would withdraw your amendment, or your motion. Would you be willing to do that?"

Senator Hemstad: "No."

Senator McDermott: "So you really do not want this proposal considered?"

Senator Hemstad: "I would prefer to have it considered last."

Senator Fleming demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator Hemstad that the Gould/Hemstad amendment, as amended, be deferred following consideration of other amendments on the desk of the Secretary of the Senate.

ROLL CALL

The Secretary called the roll and the motion failed by the following vote: Yeas, 22; nays, 26; excused, 1.

Voting yea: Senators Benitz, Bluechel, Clarke, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, Newhouse, Patterson, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—22.

Voting nay: Senators Bauer, Bottiger, Charnley, Conner, Craswell, Fleming, Gaspard, Goltz, Hughes, Hurley, Lysen, McCaslin, McDermott, Metcalf, Moore, Peterson, Pullen, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—26.

Excused: Senator Talley—1.

Senator Gould moved that the amendment by Senators Gould and Hemstad, as amended, not be adopted.

Senator Talmadge demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator Gould that the amendment by Senators Gould and Hemstad, as amended, not be adopted.

ROLL CALL

The Secretary called the roll and the motion carried by the following vote: Yeas, 1; nays, 47; excused, 1.

Voting yea: Senator Rasmussen—1.

Voting nay: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—47.

Excused: Senator Talley—1.

Senator Scott moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 324, Laws of 1977 ex. sess. and RCW 82.04.2901 are each amended to read as follows:

From and after the first day of (~~June, 1976~~) April, 1982, until and including the thirtieth day of June, (~~1979~~) 1983, there is levied and shall be collected from every person for the act or privilege of engaging in business activities, as a part of the tax imposed by the provisions of RCW 82.04.220 through 82.04.290, inclusive, an additional tax in the amount of (~~six~~) two percent of the tax payable under the provisions of RCW 82.04.220 through 82.04.290, inclusive. To facilitate collection of this additional tax, the department of revenue is authorized to adjust the basic rates of persons to which this section applies in such manner as to reflect the amount to

the nearest one-thousandth of one percent of the additional tax hereby imposed, adjusting ten-thousandths equal to or greater than five ten-thousandths to the greater thousandth.

Sec. 2. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 8, Laws of 1981 2nd ex. sess. and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to four and one-half percent of the selling price: PROVIDED, That from and after the first day of December, 1981, until and including the thirtieth day of June, 1983, such tax shall be levied and collected in an amount equal to five and five-tenths percent of the selling price: PROVIDED FURTHER, That from and after the the first day of May, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of two percent of the taxes payable under this section. To facilitate collection of this additional tax, the department of revenue may adjust the rate of the additional tax to the next highest one-tenth of one percent if the additional tax is five one-hundredths of one percent or more, or to the next lowest one-tenth of one percent if the additional tax is less than five one-hundredths of one percent.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate, including any additional tax rate, provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 3. Section 82.08.150, chapter 15, Laws of 1961 as last amended by section 25, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected a tax upon each retail sale of spirits, or strong beer in the original package at the rate of fifteen percent of the selling price. The tax imposed in this subsection shall apply to all such sales including sales by the Washington state liquor stores and agencies, but excluding sales to class H licensees.

(2) There is levied and shall be collected a tax upon each sale of spirits, or strong beer in the original package at the rate of ten percent of the selling price on sales by Washington state liquor stores and agencies to class H licensees.

(3) There is levied and shall be collected an additional tax upon each retail sale of spirits in the original package at the rate of one dollar and seventy-two cents per liter. The additional tax imposed in this subsection shall apply to all such sales including sales by Washington state liquor stores and agencies, and including sales to class H licensees.

(4) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there is imposed an additional tax in the amount of two percent of the taxes payable under subsections (1), (2), and (3) of this section.

(5) The tax imposed in RCW 82.08.020, as now or hereafter amended, shall not apply to sales of spirits or strong beer in the original package.

~~((5))~~ (6) The taxes imposed in this section shall be paid by the buyer to the seller, and each seller shall collect from the buyer the full amount of the tax payable in respect to each taxable sale under this section. The taxes required by this section to be collected by the seller shall be stated separately from the selling price and for purposes of determining the tax due from the buyer to the seller, it shall be conclusively presumed that the selling price quoted in any price list does not include the taxes imposed by this section.

~~((6))~~ (7) As used in this section, the terms, "spirits," "strong beer," and "package" shall have the meaning ascribed to them in chapter 66.04 RCW.

Sec. 4. Section 82.08.160, chapter 15, Laws of 1961 as last amended by section 26, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.160 are each amended to read as follows:

On or before the twenty-fifth day of each month, all taxes collected under RCW 82.08.150 during the preceding month shall be remitted to the state department of revenue, to be deposited with the state treasurer. Upon receipt of such moneys the state treasurer shall credit sixty-five percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) and one hundred percent of the sums collected and remitted under RCW 82.08.150 (3) and (4) to the state general fund and thirty-five percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) to a fund which is hereby created to be known as the "liquor excise tax fund."

Sec. 5. Section 82.16.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 299, Laws of 1971 ex. sess. and RCW 82.16.020 are each amended to read as follows:

(1) There is levied and there shall be collected from every person a tax for the act or privilege of engaging within this state in any one or more of the businesses herein mentioned. The tax shall be equal to the gross income of the business, multiplied by the rate set out after the business, as follows:

((+)) (a) Railroad, express, railroad car, water distribution, light and power, telephone and telegraph businesses: Three and six-tenths percent;

((2)) (b) Gas distribution business: Three percent;

((3)) (c) Urban transportation business: Six-tenths of one percent;

((4)) (d) Vessels under sixty-five feet in length, except tugboats, operating upon the waters within the state: Six-tenths of one percent;

((5)) (e) Motor transportation and tugboat businesses, and all public service businesses other than ones mentioned above: One and eight-tenths of one percent.

(2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of two percent of the tax payable under subsection (1) of this section.

Sec. 6. Section 82.16.030, chapter 15, Laws of 1961 and RCW 82.16.030 are each amended to read as follows:

Every person engaging in businesses which are within the purview of two or more of schedules ((1), (2), (3), (4) and (5)) (a), (b), (c), (d), and (e) of RCW 82.16.020(1), shall be taxable under each schedule applicable to the businesses engaged in.

Sec. 7. Section 82.20.010, chapter 15, Laws of 1961 and RCW 82.20.010 are each amended to read as follows:

There is levied and there shall be collected a tax upon conveyances as follows: On any deed, instrument, or writing (unless deposited in escrow before May 1, 1935), whereby any lands, tenements, or other realty sold shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser, or any other person by his direction, when the consideration or value of the interest or property conveyed, exclusive of the value of any lien or encumbrance remaining thereon at the time of sale, exceeds one hundred dollars and does not exceed five hundred dollars or fractional part thereof, fifty cents; and for each additional five hundred dollars or fractional part thereof, fifty cents: **PROVIDED, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of two percent of the tax payable under this section.** This section shall not apply to any instrument or writing, given to secure a debt, nor to any conveyance to the state.

Sec. 8. Section 82.24.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 172, Laws of 1981 and RCW 82.24.020 are each amended to read as follows:

There is levied and there shall be collected as hereinafter provided, a tax upon the sale, use, consumption, handling, possession or distribution of all cigarettes, in an amount equal to the rate of eight and one-half mills per cigarette: PROVIDED, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of two percent of the tax payable under this section: PROVIDED FURTHER, That to facilitate collection of this additional tax, the department of revenue may adjust the rate of the additional tax to the next highest mill. For purposes of this chapter and RCW 28A.47.440, "possession" shall mean both (1) physical possession by the purchaser and, (2) when cigarettes are being transported to or held for the purchaser or his designee by a person other than the purchaser, constructive possession by the purchaser or his designee, which constructive possession shall be deemed to occur at the location of the cigarettes being so transported or held.

Sec. 9. Section 82.26.020, chapter 15, Laws of 1961 as last amended by section 71, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.26.020 are each amended to read as follows:

(1) From and after June 1, 1971, there is levied and there shall be collected a tax upon the sale, use, consumption, handling, or distribution of all tobacco products in this state at the rate of forty-five percent of the wholesale sales price of such tobacco products: PROVIDED, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of two percent of the tax payable under this subsection. Such tax shall be imposed at the time the distributor (a) brings, or causes to be brought, into this state from without the state tobacco products for sale, (b) makes, manufactures, or fabricates tobacco products in this state for sale in this state, or (c) ships or transports tobacco products to retailers in this state, to be sold by those retailers.

(2) A floor stocks tax is hereby imposed upon every distributor of tobacco products at the rate of twenty-five percent of the wholesale sales price of each tobacco product in his possession or under his control on July 1, 1959.

Each distributor, within twenty days after July 1, 1959 shall file a report with the department, in such form as the department may prescribe, showing the tobacco products on hand on July 1, 1959 and the amount of tax due thereon.

The tax imposed by this subdivision shall be due and payable within twenty days after July 1, 1959 and thereafter shall bear interest at the rate of one percent per month.

Sec. 10. Section 2, chapter 98, Laws of 1980 and RCW 82.27.020 are each amended to read as follows:

(1) In addition to all other taxes, licenses, or fees provided by law there is established an excise tax on the possession of food fish and shellfish for commercial purposes as provided in this chapter. The tax is levied upon and shall be collected from the owner of the food fish or shellfish whose possession constitutes the taxable event. The taxable event is the first possession by an owner after the food fish or shellfish have been landed. Processing and handling of food fish and shellfish by a person who is not the owner is not a taxable event to the processor or handler.

(2) A person in possession of food fish and shellfish and liable to this tax may deduct from the price paid to the person from which such food fish or shellfish (except oysters) are purchased an amount equal to a tax at one-half the rate levied in this section upon these products.

(3) The measure of the tax is the price paid by the first person in possession of the food fish or shellfish. If the food fish or shellfish are acquired other than by purchase or are purchased under conditions where the purchase price does not represent the value of the food fish or shellfish or these products are transferred outside the state without sale, the measure of the tax shall be determined as nearly as possible

according to the selling price of similar products of like quality and character under rules adopted by the department of revenue.

(4) The tax shall be equal to the measure of the tax multiplied by the rates for food fish and shellfish as follows:

- (a) Chinook, coho, and chum salmon: Five percent.
- (b) Pink and sockeye salmon: Three percent.
- (c) Other food fish and shellfish, except oysters: Two percent.
- (d) Oysters: Seven one-hundredths of one percent.

(5) From and after the first day of July, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of two percent of the tax payable under subsection (4) of this section.

Sec. 11. Section 3, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 82.29A.030 are each amended to read as follows:

There is hereby levied and shall be collected a leasehold excise tax on the act or privilege of occupying or using publicly owned real or personal property through a leasehold interest on and after January 1, 1976, at a rate of twelve percent of taxable rent: PROVIDED, That from and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of two percent of the tax payable under this section: PROVIDED FURTHER, That after the computation of the tax there shall be allowed credit for any tax collected pursuant to RCW 82.29A.040.

Sec. 12. Section 82.44.020, chapter 15, Laws of 1961 as last amended by section 10, chapter 222, Laws of 1981 and RCW 82.44.020 are each amended to read as follows:

(1) An excise tax is imposed for the privilege of using in the state any motor vehicle, except those operated under reciprocal agreements, the provisions of RCW 46.16.160 as now or hereafter amended, or dealer's licenses. The annual amount of such excise tax shall be two percent of the fair market value of such vehicle.

(2) From and after August 1, 1978, and until August 1, 2008, an additional excise tax is imposed, in addition to any other tax imposed by this section, for the privilege of using in the state any such motor vehicle, and the annual amount of such additional excise shall be two-tenths of one percent of the fair market value of such vehicle.

(3) The department of licensing and county auditors shall collect the additional tax imposed by subsection (2) of this section for any registration year for the months of that registration year in which such additional tax is effective, and in the same manner and at the same time as the tax imposed by subsection (1) of this section.

(4) In no case shall the total tax be less than two dollars except for proportionally registered vehicles.

(5) From and after the first day of July, 1982, until and including the thirtieth day of June, 1983, a surtax is imposed, in addition to the taxes imposed by subsections (1) and (2) of this section, for the privilege of using in the state any such motor vehicle. The annual amount of such surtax shall be two percent of the taxes payable under subsections (1) and (2) of this section.

Sec. 13. Section 82.44.110, chapter 15, Laws of 1961 as last amended by section 235, chapter 158, Laws of 1979 and RCW 82.44.110 are each amended to read as follows:

The county auditor shall regularly, when remitting license fee receipts, pay over and account to the director of licensing for the excise taxes collected under the provisions of this chapter. The director shall forthwith transmit the excise taxes to the state treasurer, ninety-eight percent of which excise tax revenue shall upon receipt thereof be credited by the state treasurer to the general fund, and two percent of which excise tax revenue shall be credited by the state treasurer to the motor vehicle fund to defray administrative and other expenses incurred by the state department

of licensing in the collection of the excise tax: PROVIDED, That one hundred percent of the proceeds of the additional two-tenths of one percent excise tax imposed by RCW 82.44.020(2), as now or hereafter amended, shall be credited by the state treasurer to the Puget Sound capital construction account in the motor vehicle fund: PROVIDED FURTHER, That all revenues collected under RCW 82.44.020(5) shall be credited by the state treasurer to the general fund.

Sec. 14. Section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 4, chapter 175, Laws of 1979 ex. sess. and RCW 82.44.150 are each amended to read as follows:

(1) The director of licensing shall on the twenty-fifth day of February, May, August and November of each year, commencing with November, 1971, advise the state treasurer of the total amount of motor vehicle excise taxes remitted to the department of licensing during the preceding calendar quarter ending on the last day of March, June, September and December, respectively, except for those payable under RCW 82.44.020(5), 82.44.030 and 82.44.070, from motor vehicle owners residing within each municipality which has levied a tax under RCW 35.58.273, which amount of excise taxes shall be determined by the director as follows:

The total amount of motor vehicle excise taxes remitted to the department, except those payable under RCW 82.44.020(5), 82.44.030 and 82.44.070, from each county shall be multiplied by a fraction, the numerator of which is the population of the municipality residing in such county, and the denominator of which is the total population of the county in which such municipality or portion thereof is located. The product of this computation shall be the amount of excise taxes from motor vehicle owners residing within such municipality or portion thereof. Where the municipality levying a tax under RCW 35.58.273 is located in more than one county, the above computation shall be made by county, and the combined products shall provide the total amount of motor vehicle excise taxes from motor vehicle owners residing in the municipality as a whole. Population figures required for these computations shall be supplied to the director by the office of financial management, who shall adjust the fraction annually.

(2) On the first day of the months of January, April, July, and October of each year, the state treasurer based upon information provided by the department of licensing shall make the following apportionment and distribution of motor vehicle excise taxes deposited in the general fund except taxes collected under RCW 82.44.020(5). A sum equal to seventeen percent thereof shall be paid to cities and towns in the proportions and for the purposes hereinafter set forth; a sum equal to seventy percent of all motor vehicle excise tax receipts, except taxes collected under RCW 82.44.020(5), shall be allocable to the state school equalization fund and credited and transferred each year in the following order of priority:

(a) The amount required and certified by the state finance committee each year as being necessary for payment of principal of and interest on bonds authorized by ~~((chapter 26, Laws of 1963 extraordinary session))~~ RCW 28A.47.760 through 28A.47.774 in the ensuing twelve months and any additional amounts required by the covenants of such bonds shall be transferred from the state school equalization fund to the 1963 public school building bond retirement fund.

(b) Any remaining amounts in the state school equalization fund from the motor vehicle excise taxes not required for debt service on the above bond issues shall be transferred and credited to the general fund.

(3) The amount payable to cities and towns shall be apportioned among the several cities and towns within the state ratably, on the basis of the population as last determined by the office of financial management.

(4) When so apportioned, the amount payable to each such city and town shall be transmitted to the city treasurer thereof, and shall be utilized by such city or town for the purposes of police and fire protection and the preservation of the public

health therein, and not otherwise. In case it be adjudged that revenue derived from the excise tax imposed by this chapter cannot lawfully be apportioned or distributed to cities or towns, all moneys directed by this section to be apportioned and distributed to cities and towns shall be credited and transferred to the state general fund.

(5) On the first day of the months of January, April, July, and October of each year, the state treasurer, based upon information provided by the department of licensing, shall remit motor vehicle excise tax revenues imposed and collected under RCW 35.58.273 as follows:

(a) The amount required to be remitted by the state treasurer to the treasurer of any municipality levying the tax shall not exceed in any calendar year the amount of locally-generated tax revenues, excluding the excise tax imposed under RCW 35.58.273 for the purposes of this section, which shall have been budgeted by the municipality to be collected in such calendar year for any public transportation purposes including but not limited to operating costs, capital costs, and debt service on general obligation or revenue bonds issued for these purposes; and

(b) In no event may the amount remitted in a single calendar quarter exceed the amount collected on behalf of the municipality under RCW 35.58.273 during the calendar quarter next preceding the immediately preceding quarter.

(6) At the close of each calendar year accounting period, but not later than April 1, each municipality that has received motor vehicle excise taxes under subsection (5) of this section shall transmit to the director of licensing and the state auditor a written report showing by source the previous year's budgeted tax revenues for public transportation purposes as compared to actual collections. Any municipality that has not submitted the report by April 1 shall cease to be eligible to receive motor vehicle excise taxes under subsection (5) of this section until the report is received by the director of licensing. If a municipality has received more or less money under subsection (5) of this section for the period covered by the report than it is entitled to receive by reason of its locally-generated collected tax revenues, the director of licensing shall, during the next ensuing quarter that the municipality is eligible to receive motor vehicle excise tax funds, increase or decrease the amount to be remitted in an amount equal to the difference between the locally-generated budgeted tax revenues and the locally-generated collected tax revenues. In no event may the amount remitted for a calendar year exceed the amount collected on behalf of the municipality under RCW 35.58.273 during that same calendar year. At the time of the next fiscal audit of each municipality, the state auditor shall verify the accuracy of the report submitted and notify the director of licensing of any discrepancies.

(7) The motor vehicle excise taxes imposed under RCW 35.58.273 and required to be remitted under this section shall be remitted without legislative appropriation.

(8) Any municipality levying and collecting a tax under RCW 35.58.273 which does not have an operating, public transit system or a contract for public transportation services in effect within one year from the initial effective date of the tax shall return to the state treasurer all motor vehicle excise taxes received under subsection (5) of this section.

Sec. 15. Section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 154, Laws of 1980 and RCW 82.45.060 are each amended to read as follows:

There is imposed an excise tax upon each sale of real property at the rate of one percent of the selling price: PROVIDED, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax shall be imposed in the amount of two percent of the tax payable under this section.

Sec. 16. Section .14.02, chapter 79, Laws of 1947 as last amended by section 2, chapter 233, Laws of 1979 ex. sess. and RCW 48.14.020 are each amended to read as follows:

(1) Subject to other provisions of this chapter, each authorized insurer except title insurers shall on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax on premiums. Except as provided in subsection (2) of this section, such tax shall be in the amount of two percent of all premiums, excluding amounts returned to or the amount of reductions in premiums allowed to holders of industrial life policies for payment of premiums directly to an office of the insurer, collected or received by the insurer during the preceding calendar year in the case of foreign and alien insurers, and in the amount of one percent of all such premiums in the case of domestic insurers, for direct insurances, other than ocean marine and foreign trade insurances, after deducting premiums paid to policyholders as returned premiums, upon risks or property resident, situated, or to be performed in this state. For the purposes of this section the consideration received by an insurer for the granting of an annuity shall not be deemed to be a premium.

(2) In the case of insurers which require the payment by their policyholders at the inception of their policies of the entire premium thereon in the form of premiums or premium deposits which are the same in amount, based on the character of the risks, regardless of the length of term for which such policies are written, such tax shall be in the amount of two percent of the gross amount of such premiums and premium deposits upon policies on risks resident, located, or to be performed in this state, in force as of the thirty-first day of December next preceding, less the unused or unabsorbed portion of such premiums and premium deposits computed at the average rate thereof actually paid or credited to policyholders or applied in part payment of any renewal premiums or premium deposits on one-year policies expiring during such year.

(3) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed in the amount of two percent of each tax payable under subsections (1) and (2) of this section. All revenues from this additional tax shall be deposited in the state general fund.

(4) Each authorized insurer shall with respect to all ocean marine and foreign trade insurance contracts written within this state during the preceding calendar year, on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax of three-quarters of one percent on its gross underwriting profit. Such gross underwriting profit shall be ascertained by deducting from the net premiums (i.e., gross premiums less all return premiums and premiums for reinsurance) on such ocean marine and foreign trade insurance contracts the net losses paid (i.e., gross losses paid less salvage and recoveries on reinsurance ceded) during such calendar year under such contracts. In the case of insurers issuing participating contracts, such gross underwriting profit shall not include, for computation of the tax prescribed by this subsection, the amounts refunded, or paid as participation dividends, by such insurers to the holders of such contracts.

~~((4))~~ (5) The state does hereby preempt the field of imposing excise or privilege taxes upon insurers or their agents, other than title insurers, and no county, city, town or other municipal subdivision shall have the right to impose any such taxes upon such insurers or their agents.

~~((5))~~ (6) If an authorized insurer collects or receives any such premiums on account of policies in force in this state which were originally issued by another insurer and which other insurer is not authorized to transact insurance in this state on its own account, such collecting insurer shall be liable for and shall pay the tax on such premiums.

~~((6))~~ (7) This section shall be effective as to and shall govern the payment of all taxes falling due after the effective date of this code.

Sec. 17. Section 5, chapter 91, Laws of 1947 as last amended by section 1, chapter 42, Laws of 1967 and RCW 41.16.050 are each amended to read as follows:

There is hereby created and established in the treasury of each municipality a fund which shall be known and designated as the firemen's pension fund, which shall consist of: (1) All bequests, fees, gifts, emoluments or donations given or paid thereto((;)); (2) forty-five percent of all moneys received by the state from taxes on fire insurance premiums, except any such moneys received under RCW 48.14.020(3); (3) taxes paid pursuant to the provisions of RCW 41.16.060((;)); (4) interest on the investments of the fund((;)); and (5) contributions by firemen as provided for herein. The forty-five percent of moneys received from the tax on fire insurance premiums under the provisions of this chapter shall be distributed in the proportion that the number of paid firemen in the city, town or fire protection district bears to the total number of paid firemen throughout the state to be ascertained in the following manner: The secretary of the firemen's pension board of each city, town and fire protection district now or hereafter coming under the provisions of this chapter shall within thirty days after the taking effect of this 1961 amendatory act and on or before the fifteenth day of January thereafter, certify to the state treasurer the number of paid firemen in the fire department in such city, town or fire protection district. The state treasurer shall on or before the first day of June of each year deliver to the treasurer of each city, town and fire protection district coming under the provisions of this chapter his warrant, payable to each city, town or fire protection district for the amount due such city, town or fire protection district ascertained as herein provided and the treasurer of each such city, town or fire protection district shall place the amount thereof to the credit of the firemen's pension fund of such city, town or fire protection district.

Sec. 18. Section 3, chapter 261, Laws of 1945 as last amended by section 26, chapter 3, Laws of 1981 and RCW 41.24.030 are each amended to read as follows:

There is created in the state treasury a trust fund for the benefit of the firemen of the state covered by this chapter, which shall be designated the volunteer firemen's relief and pension fund and shall consist of:

(1) All bequests, fees, gifts, emoluments, or donations given or paid to the fund.
 (2) An annual fee for each member of its fire department to be paid by each municipal corporation for the purpose of affording the members of its fire department with protection from death or disability as herein provided as follows:

(a) Three dollars for each volunteer or part-paid member of its fire department;

(b) A sum equal to one-half of one percent of the annual salary attached to the rank of each full-paid member of its fire department, prorated for 1970 on the basis of services prior to March 1, 1970.

(3) Where a municipal corporation has elected to make available to the members of its fire department the retirement provisions as herein provided, an annual fee of thirty dollars for each of its firemen electing to enroll therein, ten dollars of which shall be paid by the municipality and twenty dollars of which shall be paid by the fireman.

(4) Forty percent of all moneys received by the state from ((its)) taxes on fire insurance premiums, except any such moneys received under RCW 48.14.020(3), shall be paid into the state treasury and credited to the fund.

(5) The state investment board, upon request of the state treasurer shall invest such portion of the amounts credited to the fund as is not, in the judgment of the treasurer, required to meet current withdrawals. Such investments may be made in such bonds, notes or other obligations now or hereafter authorized as an investment for the funds of the public employees' retirement system.

(6) All bonds or other obligations purchased according to ((subdivision)) subsection (5) of this section shall be forthwith placed in the custody of the state treasurer, and he shall collect the principal thereof and interest thereon when due.

The state investment board may sell any of the bonds or obligations so acquired and the proceeds thereof shall be paid to the state treasurer.

The interest and proceeds from the sale and redemption of any bonds or other obligations held by the fund shall be credited to and form a part of the fund.

All amounts credited to the fund shall be available for making the payments required by this chapter.

The state treasurer shall make an annual report showing the condition of the fund.

Sec. 19. Section 2, chapter 278, Laws of 1957 as last amended by section 2, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.020 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district a tax for the act or privilege of engaging within this state in the business of operating works, plants or facilities for the generation, distribution and sale of electric energy. With respect to each such district, except with respect to thermal electric generating facilities taxed under RCW 54.28.025, such tax shall be the sum of the following amounts: ~~((+))~~ (a) Two percent of the gross revenues derived by the district from the sale of all electric energy which it distributes to consumers who are served by a distribution system owned by the district; ~~((2))~~ (b) five percent of the first four mills per kilowatt-hour of wholesale value of self-generated energy distributed to consumers by a district; ~~((3))~~ (c) five percent of the first four mills per kilowatt-hour of revenue obtained by the district from the sale of self-generated energy for resale.

(2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there is levied and shall be collected an additional tax in the amount of two percent of the tax payable under subsection (1) of this section.

Sec. 20. Section 6, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.025 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district operating a thermal electric generating facility, as defined in RCW 54.28.010 as now or hereafter amended, having a design capacity of two hundred fifty thousand kilowatts or more, located on a federal reservation, which is placed in operation after September 21, 1977, a tax for the act or privilege of engaging within the state in the business of generating electricity for use or sale, equal to one and one-half percent of wholesale value of energy produced for use or sale, except energy used in the operation of component parts of the power plant and associated transmission facilities under control of the person operating the power plant.

(2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there is levied and shall be collected an additional tax in the amount of two percent of the tax payable under subsection (1) of this section.

Sec. 21. Section 4, chapter 278, Laws of 1957 as amended by section 31, chapter 278, Laws of 1975 1st ex. sess. and RCW 54.28.040 are each amended to read as follows:

Prior to May 1st, the department of revenue shall compute the tax imposed by this chapter for the last preceding calendar year and notify the district of the amount thereof, which shall be payable on or before the following June 1st. Upon receipt of the amount of each tax imposed the department of revenue shall deposit the same with the state treasurer, who shall deposit four percent ~~((thereof))~~ of the revenues received under RCW 54.28.020(1) and 54.28.025(1) and all revenues received under RCW 54.28.020(2) and 54.28.025(2) in the general fund of the state and shall distribute the remainder in the manner hereinafter set forth. The state treasurer shall send a duplicate copy of each ~~((such letter of))~~ transmittal to the department of revenue.

Sec. 22. Section 5, chapter 278, Laws of 1957 as last amended by section 8, chapter 154, Laws of 1980 and RCW 54.28.050 are each amended to read as follows:

After computing the tax imposed by RCW 54.28.020(1), the department of revenue shall instruct the state treasurer, after placing thirty-seven and six-tenths percent in the state general fund to be dedicated for the benefit of the public schools, to distribute the balance collected under RCW 54.28.020 (~~(subsection)~~) (1)(a) to each county in proportion to the gross revenue from sales made within each county; and to distribute the balance collected under RCW 54.28.020 (~~((2) and (3))~~) (1)(b) and (c) as follows: If the entire generating facility, including reservoir, if any, is in a single county then all of the balance to the county where such generating facility is located. If any reservoir is in more than one county, then to each county in which the reservoir or any portion thereof is located a percentage equal to the percentage determined by dividing the total cost of the generating facilities, including adjacent switching facilities, into twice the cost of land and land rights acquired for any reservoir within each county, land and land rights to be defined the same as used by the federal power commission. If the powerhouse and dam, if any, in connection with such reservoir are in more than one county, the balance shall be divided sixty percent to the county in which the owning district is located and forty percent to the other county or counties or if said powerhouse and dam, if any, are owned by a joint operating agency organized under chapter 43.52 RCW, or by more than one district or are outside the county of the owning district, then to be divided equally between the counties in which such facilities are located. If all of the powerhouse and dam, if any, are in one county, then the balance shall be distributed to the county in which the facilities are located.

The provisions of this section shall not apply to the distribution of taxes collected under RCW 54.28.025.

Sec. 23. Section 7, chapter 366, Laws of 1977 ex. sess. as amended by section 165, chapter 151, Laws of 1979 and RCW 54.28.055 are each amended to read as follows:

(1) After computing the tax imposed by RCW 54.28.025(1), the department of revenue shall instruct the state treasurer to distribute the amount collected as follows:

(a) Fifty percent to the state general fund for the support of schools; and
 (b) Twenty-two percent to the counties, twenty-three percent to the cities, three percent to the fire protection districts, and two percent to the library districts.

(2) Each county, city, fire protection district and library district shall receive a percentage of the amount for distribution to counties, cities, fire protection districts and library districts, respectively, in the proportion that the population of such district residing within the impacted area bears to the total population of all such districts residing within the impacted area.

(3) If any distribution pursuant to subsection (1)(b) of this section cannot be made, then that share shall be prorated among the state and remaining local districts.

(4) All distributions directed by this section to be made on the basis of population shall be calculated in accordance with data to be provided by the office of financial management.

Sec. 24. Section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 12, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.210 are each amended to read as follows:

(1) There is hereby imposed upon all wines sold to wine wholesalers and the Washington state liquor control board, within the state a tax at the rate of twenty and one-fourth cents per liter: PROVIDED, HOWEVER, That wine sold or shipped in bulk from one winery to another winery shall not be subject to such tax.

The tax ((~~herein~~)) provided for in this section may, if so prescribed by the board, be collected by means of stamps to be furnished by the board, or by direct payments based on wine purchased by wine wholesalers. Every person purchasing wine under the provisions of this section shall on or before the twentieth day of each month report to the board all purchases during the preceding calendar month in such manner and upon such forms as may be prescribed by the board, and with such report shall pay the tax due from the purchases covered by such report unless the same has previously been paid. Any such purchaser of wine whose applicable tax payment is not postmarked by the twentieth day following the month of purchase will be assessed a penalty at the rate of two percent a month or fraction thereof. If this tax be collected by means of stamps, every such person shall procure from the board revenue stamps representing the tax in such form as the board shall prescribe and shall affix the same to the package or container in such manner and in such denomination as required by the board and shall cancel the same prior to the delivery of the package or container containing the wine to the purchaser. If the tax is not collected by means of stamps, the board may require that every such person shall execute to and file with the board a bond to be approved by the board, in such amount as the board may fix, securing the payment of the tax. If any such person fails to pay the tax when due, the board may forthwith suspend or cancel the license until all taxes are paid.

(2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there is imposed an additional tax in the amount of two percent of the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

Sec. 25. Section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 16, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.290 are each amended to read as follows:

(1) Any brewer or beer wholesaler licensed under this title may sell and deliver beer to holders of authorized licenses direct, but to no other person, other than the board; and every such brewer or beer wholesaler shall report all sales to the board monthly, pursuant to the regulations, and shall pay to the board as an added tax for the privilege of manufacturing and selling the beer within the state a tax of two dollars and sixty cents per barrel of thirty-one gallons on sales to licensees within the state and on sales to licensees within the state of bottled and canned beer shall pay a tax computed in gallons at the rate of two dollars and sixty cents per barrel of thirty-one gallons. Any brewer or beer wholesaler whose applicable tax payment is not postmarked by the twentieth day following the month of sale will be assessed a penalty at the rate of two percent per month or fraction thereof. Each such brewer or wholesaler shall procure from the board revenue stamps representing such tax in form prescribed by the board and shall affix the same to the barrel or package in such manner and in such denominations as required by the board, and shall cancel the same prior to commencing delivery from his place of business or warehouse of such barrels or packages. Beer shall be sold by brewers and wholesalers in sealed barrels or packages. The revenue stamps herein provided for need not be affixed and canceled in the making of resales of barrels or packages already taxed by the affixation and cancellation of stamps as provided in this section.

(2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there is imposed an additional tax in the amount of two percent of the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

(3) The ((~~above~~)) tax imposed under this section shall not apply to "strong beer" as defined in this title.

Sec. 26. Section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 1, chapter 148, Laws of 1981 and RCW 84.33.071 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 imposed 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, 1974 and June 30, 1983, inclusive, the stumpage value of timber harvested for sale or for commercial or industrial use multiplied by six and one-half percent (:); plus

(b) For timber harvested between April 1, 1982, and June 30, 1983, inclusive, two percent of the tax payable under (a) of this subsection. To facilitate collection of this additional tax, the department of revenue is authorized to adjust the total tax rate under this section to the nearest one-tenth of one percent, adjusting one-hundredths equal to or greater than five one-hundredths to the greater tenth.

(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) 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. Each year on or before December 31 for use the following January through June 30, and on or before June 30 for use the following July through December 31, 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, blow down, 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 ways and means committees of the house and senate 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 the sixtieth day after the date of final adoption of any stumpage value tables, 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 account A and a state timber tax reserve account in the state general fund and any interest earned on the investment of cash balances shall be deposited in these accounts. The revenues from the tax imposed by subsection (1)(a) of this section shall be deposited in state timber tax account A and state timber tax reserve account as follows:

YEAR OF COLLECTION	ACCOUNT A	RESERVE ACCOUNT
1973 and thereafter	100%	0%

The revenues from the tax imposed by subsection (1)(b) of this section shall be deposited in the state general fund.

(6) 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 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.

(7) 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.

(8) 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.

NEW SECTION. Sec. 27. (1) If the actual revenues, including penalties and interest collected under chapter 82.32 RCW upon taxes imposed under the chapters enumerated in this section, as:

(a) Collected under chapters 82.04, 82.08, 82.12, 82.16, and 82.26 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through August 10, 1982; and

(b) Collected under RCW 28A.47.440, and chapters 82.24 and 82.45 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through July 31, 1982;

equal or exceed two billion four hundred thirteen million two hundred thousand dollars, or are less than or equal to two billion three hundred thirty-three million two hundred thousand dollars, then the rates for those additional taxes imposed by this act, except for the additional tax imposed by section 12 of this act, shall be uniformly adjusted either downward or upward to generate five billion three hundred

forty-nine million seven hundred thousand dollars in revenues from taxes, imposed under the chapters enumerated in this subsection and under RCW 28A.47.440, for the entire biennium beginning July 1, 1981.

(2) The effective date of the adjustments under subsection (1) of this section shall be as follows:

(a) For taxes imposed under sections 10, 11, 20, and 26 of this act, the date shall be October 1, 1982.

(b) For all other taxes imposed under this act except the tax imposed under section 12 of this act, the date shall be September 1, 1982.

(3) If the actual revenues, including penalties and interest collected under chapter 82.32 RCW upon taxes imposed under the chapters enumerated in this subsection, as:

(a) Collected under chapters 82.04, 82.08, 82.12, 82.16, and 82.26 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through November 10, 1982; and

(b) Collected under RCW 28A.47.440, and chapters 82.24 and 82.45 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through October 31, 1982;

equal or exceed three billion one hundred seventy-three million nine hundred thousand dollars, or are less than or equal to three billion seventy million nine hundred thousand dollars, then the rates for those additional taxes imposed by this act, except for the additional tax imposed by section 12 of this act, shall be uniformly adjusted either downward or upward to generate five billion three hundred forty-nine million seven hundred thousand dollars in revenues from taxes, imposed under the chapters enumerated in this subsection and under RCW 28A.47.440, for the entire biennium beginning July 1, 1981.

(4) The effective date of the adjustments under subsection (3) of this section shall be as follows:

(a) For taxes imposed under sections 10, 11, 20, and 26 of this act, the date shall be January 1, 1983.

(b) For all other taxes imposed under this act except the tax imposed under section 12 of this act, the date shall be December 1, 1982.

(5) The department of revenue may adopt rules to implement this act. The department and the insurance commissioner shall adjust the tax rates in accordance with this section, and for purposes of facilitating the collection of the adjustments of additional tax shall adjust the rates of each tax imposed under sections 2, 8, and 26 of this act to the nearest decimal or percentage in the manner provided for each such tax by this act.

NEW SECTION. Sec. 28. The following acts or parts of acts are each repealed:

(1) Section 49, chapter 37, Laws of 1980, section 3, chapter 86, Laws of 1980, section 1, chapter 18, Laws of 1981 and RCW 82.08.0284; and

(2) Section 76, chapter 37, Laws of 1980, section 4, chapter 86, Laws of 1980 and RCW 82.12.0278.

NEW SECTION. Sec. 29. There is added to chapter 82.08 RCW a new section to read as follows:

(1) The tax levied by RCW 82.08.020 shall not apply to sales of food products for human consumption.

"Food products" include cereals and cereal products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products.

"Food products" include milk and milk products, milk shakes, malted milks, and any other similar type beverages which are composed at least in part of milk or a milk product and which require the use of milk or a milk product in their preparation.

"Food products" include all fruit juices, vegetable juices, and other beverages except bottled water, spirituous, malt or vinous liquors or carbonated beverages, whether liquid or frozen.

"Food products" do not include medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.

The exemption of "food products" provided for in this subsection shall not apply: (a) When the food products are furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware whether provided by the retailer or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, except for food products furnished as meals under a state administered nutrition program for the aged as provided for in the Older American Act (P.L. 95-478 Title III) and RCW 74.38.040(6), or (b) when the food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location, even though such products are sold on a "takeout" or "to go" order and are actually packaged or wrapped and taken from the premises of the retailer, or (c) when the food products are sold for consumption within a place, the entrance to which is subject to an admission charge, except for national and state parks and monuments.

(2) Subsection (1) of this section notwithstanding, the retail sale of food products is subject to sales tax under RCW 82.08.020 if the food products are sold through a vending machine, and in this case the selling price for purposes of RCW 82.08.020 is fifty-seven percent of the gross receipts.

This subsection does not apply to hot prepared food products, other than food products which are heated after they have been dispensed from the vending machine.

For tax collected under this subsection, the requirements that the tax be collected from the buyer and that the amount of tax be stated as a separate item are waived.

NEW SECTION. Sec. 30. There is added to chapter 82.12 RCW a new section to read as follows:

The provisions of this chapter shall not apply in respect to the use of food products for human consumption.

"Food products" include cereals and cereal products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products.

"Food products" include milk and milk products, milk shakes, malted milks, and any other similar type beverages which are composed at least in part of milk or a milk product and which require the use of milk or a milk product in their preparation.

"Food products" include all fruit juices, vegetable juices, and other beverages except bottled water, spirituous, malt or vinous liquors or carbonated beverages, whether liquid or frozen.

"Food products" do not include medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.

The exemption of "food products" provided for in this paragraph shall not apply: (a) When the food products are furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware

whether provided by the retailer or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, except for food products furnished as meals under a state administered nutrition program for the aged as provided for in the Older American Act (P.L. 95-478 Title III) and RCW 74.38.040(6), or (b) when the food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location, even though such products are sold on a "takeout" or "to go" order and are actually packaged or wrapped and taken from the premises of the retailer, or (c) when the food products are sold for consumption within a place, the entrance to which is subject to an admission charge, except for national and state parks and monuments.

NEW SECTION. Sec. 31. 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. 32. (1) This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except as follows:

(a) Sections 1, 5, 6, 11, 19 through 23, and 26 of this act shall take effect April 1, 1982;

(b) Sections 2, 3, 4, 7, 8, 9, 15, 24, 25, and 28 of this act shall take effect May 1, 1982;

(c) Sections 16, 17, and 18 of this act shall take effect on April 1, 1982, only if Engrossed Senate Bill No. 4578 is not enacted into law by May 1, 1982. If that bill is so enacted, sections 16, 17, and 18 of this act shall not take effect; and

(d) Sections 29 and 30 of this act shall take effect July 1, 1983.

(2) Each section of this act having an effective date specified in this act shall take effect on that date, notwithstanding the date this act, or any part thereof, becomes law under Article III, section 12 of the state Constitution."

POINT OF INQUIRY

Senator Rasmussen: "Senator Scott, you and I have served on ways and means together several years. Has this bill had a hearing before your committee?"

(Senator Scott declined to yield.)

Senator Rasmussen: "Very sorry, Mr. President, Senator Scott is an honorable man, does not want to be caught in a crossfire. The bill has not had a hearing before the committee. It is major legislation."

On motion of Senator Shinpoch, the following amendment to the amendment by Senator Scott was adopted:

On page 4, line 11, after "three" insert "and six-tenths"

Debate ensued.

Senators Scott, Jones and Guess demanded the previous question and the demand was sustained.

Senator Bottiger demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senators Scott as amended by Senator Shinpoch.

ROLL CALL

The Secretary called the roll and the amendment, as amended, was not adopted by the following vote: Yeas, 13; nays, 35; excused, 1.

Voting yea: Senators Benitz, Bluechel, Clarke, Deccio, Guess, Hansen, Hayner, Jones, Newhouse, Patterson, Scott, Sellar, Zimmerman—13.

Voting nay: Senators Bauer, Bottiger, Charnley, Conner, Craswell, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Haley, Hemstad, Hughes, Hurley, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Peterson, Pullen, Quigg, Rasmussen, Ridder, Shipoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody—35.

Excused: Senator Talley—1.

Senator Scott moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 324, Laws of 1977 ex. sess. and RCW 82.04.2901 are each amended to read as follows:

From and after the first day of (~~June, 1976~~) April, 1982, until and including the thirtieth day of June, (~~(+1979)~~) 1983, there is levied and shall be collected from every person for the act or privilege of engaging in business activities, as a part of the tax imposed by the provisions of RCW 82.04.220 through 82.04.290, inclusive, an additional tax in the amount of (~~(six)~~) ten percent of the tax payable under the provisions of RCW 82.04.220 through 82.04.290, inclusive. To facilitate collection of this additional tax, the department of revenue is authorized to adjust the basic rates of persons to which this section applies in such manner as to reflect the amount to the nearest one-thousandth of one percent of the additional tax hereby imposed, adjusting ten-thousandths equal to or greater than five ten-thousandths to the greater thousandth.

Sec. 2. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 8, Laws of 1981 2nd ex. sess. and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to four and one-half percent of the selling price: PROVIDED, That from and after the first day of December, 1981, until and including the thirtieth day of June, 1983, such tax shall be levied and collected in an amount equal to five and five-tenths percent of the selling price: PROVIDED FURTHER, That from and after the the first day of May, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the taxes payable under this section. To facilitate collection of this additional tax, the department of revenue may adjust the rate of the additional tax to the next highest one-tenth of one percent.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate, including any additional tax rate, provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 3. Section 82.08.150, chapter 15, Laws of 1961 as last amended by section 25, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected a tax upon each retail sale of spirits, or strong beer in the original package at the rate of fifteen percent of the selling price. The tax imposed in this subsection shall apply to all such sales including sales by the Washington state liquor stores and agencies, but excluding sales to class H licensees.

(2) There is levied and shall be collected a tax upon each sale of spirits, or strong beer in the original package at the rate of ten percent of the selling price on sales by Washington state liquor stores and agencies to class H licensees.

(3) There is levied and shall be collected an additional tax upon each retail sale of spirits in the original package at the rate of one dollar and seventy-two cents per liter. The additional tax imposed in this subsection shall apply to all such sales

including sales by Washington state liquor stores and agencies, and including sales to class H licensees.

(4) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there is imposed an additional tax in the amount of ten percent of the taxes payable under subsections (1), (2), and (3) of this section.

(5) The tax imposed in RCW 82.08.020, as now or hereafter amended, shall not apply to sales of spirits or strong beer in the original package.

~~((5))~~ (6) The taxes imposed in this section shall be paid by the buyer to the seller, and each seller shall collect from the buyer the full amount of the tax payable in respect to each taxable sale under this section. The taxes required by this section to be collected by the seller shall be stated separately from the selling price and for purposes of determining the tax due from the buyer to the seller, it shall be conclusively presumed that the selling price quoted in any price list does not include the taxes imposed by this section.

~~((6))~~ (7) As used in this section, the terms, "spirits," "strong beer," and "package" shall have the meaning ascribed to them in chapter 66.04 RCW.

Sec. 4. Section 82.08.160, chapter 15, Laws of 1961 as last amended by section 26, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.160 are each amended to read as follows:

On or before the twenty-fifth day of each month, all taxes collected under RCW 82.08.150 during the preceding month shall be remitted to the state department of revenue, to be deposited with the state treasurer. Upon receipt of such moneys the state treasurer shall credit sixty-five percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) and one hundred percent of the sums collected and remitted under RCW 82.08.150 (3) and (4) to the state general fund and thirty-five percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) to a fund which is hereby created to be known as the "liquor excise tax fund."

Sec. 5. Section 82.16.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 299, Laws of 1971 ex. sess. and RCW 82.16.020 are each amended to read as follows:

(1) There is levied and there shall be collected from every person a tax for the act or privilege of engaging within this state in any one or more of the businesses herein mentioned. The tax shall be equal to the gross income of the business, multiplied by the rate set out after the business, as follows:

~~((1))~~ (a) Railroad, express, railroad car, water distribution, light and power, telephone and telegraph businesses: Three and six-tenths percent;

~~((2))~~ (b) Gas distribution business: Three percent;

~~((3))~~ (c) Urban transportation business: Six-tenths of one percent;

~~((4))~~ (d) Vessels under sixty-five feet in length, except tugboats, operating upon the waters within the state: Six-tenths of one percent;

~~((5))~~ (e) Motor transportation and tugboat businesses, and all public service businesses other than ones mentioned above: One and eight-tenths of one percent.

(2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the tax payable under subsection (1) of this section.

Sec. 6. Section 82.16.030, chapter 15, Laws of 1961 and RCW 82.16.030 are each amended to read as follows:

Every person engaging in businesses which are within the purview of two or more of schedules ~~((1), (2), (3), (4) and (5))~~ (a), (b), (c), (d), and (e) of RCW 82.16.020(1), shall be taxable under each schedule applicable to the businesses engaged in.

Sec. 7. Section 82.20.010, chapter 15, Laws of 1961 and RCW 82.20.010 are each amended to read as follows:

There is levied and there shall be collected a tax upon conveyances as follows: On any deed, instrument, or writing (unless deposited in escrow before May 1, 1935), whereby any lands, tenements, or other realty sold shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser, or any other person by his direction, when the consideration or value of the interest or property conveyed, exclusive of the value of any lien or encumbrance remaining thereon at the time of sale, exceeds one hundred dollars and does not exceed five hundred dollars or fractional part thereof, fifty cents; and for each additional five hundred dollars or fractional part thereof, fifty cents: PROVIDED, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the tax payable under this section. This section shall not apply to any instrument or writing, given to secure a debt, nor to any conveyance to the state.

Sec. 8. Section 82.24.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 172, Laws of 1981 and RCW 82.24.020 are each amended to read as follows:

There is levied and there shall be collected as hereinafter provided, a tax upon the sale, use, consumption, handling, possession or distribution of all cigarettes, in an amount equal to the rate of eight and one-half mills per cigarette: PROVIDED, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the tax payable under this section: PROVIDED FURTHER, That to facilitate collection of this additional tax, the department of revenue may adjust the rate of the additional tax to the next highest mill. For purposes of this chapter and RCW 28A.47.440, "possession" shall mean both (1) physical possession by the purchaser and, (2) when cigarettes are being transported to or held for the purchaser or his designee by a person other than the purchaser, constructive possession by the purchaser or his designee, which constructive possession shall be deemed to occur at the location of the cigarettes being so transported or held.

Sec. 9. Section 82.26.020, chapter 15, Laws of 1961 as last amended by section 71, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.26.020 are each amended to read as follows:

(1) From and after June 1, 1971, there is levied and there shall be collected a tax upon the sale, use, consumption, handling, or distribution of all tobacco products in this state at the rate of forty-five percent of the wholesale sales price of such tobacco products: PROVIDED, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the tax payable under this subsection. Such tax shall be imposed at the time the distributor (a) brings, or causes to be brought, into this state from without the state tobacco products for sale, (b) makes, manufactures, or fabricates tobacco products in this state for sale in this state, or (c) ships or transports tobacco products to retailers in this state, to be sold by those retailers.

(2) A floor stocks tax is hereby imposed upon every distributor of tobacco products at the rate of twenty-five percent of the wholesale sales price of each tobacco product in his possession or under his control on July 1, 1959.

Each distributor, within twenty days after July 1, 1959 shall file a report with the department, in such form as the department may prescribe, showing the tobacco products on hand on July 1, 1959 and the amount of tax due thereon.

The tax imposed by this subdivision shall be due and payable within twenty days after July 1, 1959 and thereafter shall bear interest at the rate of one percent per month.

Sec. 10. Section 2, chapter 98, Laws of 1980 and RCW 82.27.020 are each amended to read as follows:

(1) In addition to all other taxes, licenses, or fees provided by law there is established an excise tax on the possession of food fish and shellfish for commercial purposes as provided in this chapter. The tax is levied upon and shall be collected from the owner of the food fish or shellfish whose possession constitutes the taxable event. The taxable event is the first possession by an owner after the food fish or shellfish have been landed. Processing and handling of food fish and shellfish by a person who is not the owner is not a taxable event to the processor or handler.

(2) A person in possession of food fish and shellfish and liable to this tax may deduct from the price paid to the person from which such food fish or shellfish (except oysters) are purchased an amount equal to a tax at one-half the rate levied in this section upon these products.

(3) The measure of the tax is the price paid by the first person in possession of the food fish or shellfish. If the food fish or shellfish are acquired other than by purchase or are purchased under conditions where the purchase price does not represent the value of the food fish or shellfish or these products are transferred outside the state without sale, the measure of the tax shall be determined as nearly as possible according to the selling price of similar products of like quality and character under rules adopted by the department of revenue.

(4) The tax shall be equal to the measure of the tax multiplied by the rates for food fish and shellfish as follows:

(a) Chinook, coho, and chum salmon: Five percent.

(b) Pink and sockeye salmon: Three percent.

(c) Other food fish and shellfish, except oysters: Two percent.

(d) Oysters: Seven one-hundredths of one percent.

(5) From and after the first day of July, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the tax payable under subsection (4) of this section.

Sec. 11. Section 3, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 82.29A.030 are each amended to read as follows:

There is hereby levied and shall be collected a leasehold excise tax on the act or privilege of occupying or using publicly owned real or personal property through a leasehold interest on and after January 1, 1976, at a rate of twelve percent of taxable rent: PROVIDED, That from and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the tax payable under this section: PROVIDED FURTHER, That after the computation of the tax there shall be allowed credit for any tax collected pursuant to RCW 82.29A.040.

Sec. 12. Section 82.44.020, chapter 15, Laws of 1961 as last amended by section 10, chapter 222, Laws of 1981 and RCW 82.44.020 are each amended to read as follows:

(1) An excise tax is imposed for the privilege of using in the state any motor vehicle, except those operated under reciprocal agreements, the provisions of RCW 46.16.160 as now or hereafter amended, or dealer's licenses. The annual amount of such excise tax shall be two percent of the fair market value of such vehicle.

(2) From and after August 1, 1978, and until August 1, 2008, an additional excise tax is imposed, in addition to any other tax imposed by this section, for the privilege of using in the state any such motor vehicle, and the annual amount of such additional excise shall be two-tenths of one percent of the fair market value of such vehicle.

(3) The department of licensing and county auditors shall collect the additional tax imposed by subsection (2) of this section for any registration year for the months of that registration year in which such additional tax is effective, and in the same manner and at the same time as the tax imposed by subsection (1) of this section.

(4) In no case shall the total tax be less than two dollars except for proportionally registered vehicles.

(5) From and after the first day of July, 1982, until and including the thirtieth day of June, 1983, a surtax is imposed, in addition to the taxes imposed by subsections (1) and (2) of this section, for the privilege of using in the state any such motor vehicle. The annual amount of such surtax shall be ten percent of the taxes payable under subsections (1) and (2) of this section.

Sec. 13. Section 82.44.110, chapter 15, Laws of 1961 as last amended by section 235, chapter 158, Laws of 1979 and RCW 82.44.110 are each amended to read as follows:

The county auditor shall regularly, when remitting license fee receipts, pay over and account to the director of licensing for the excise taxes collected under the provisions of this chapter. The director shall forthwith transmit the excise taxes to the state treasurer, ninety-eight percent of which excise tax revenue shall upon receipt thereof be credited by the state treasurer to the general fund, and two percent of which excise tax revenue shall be credited by the state treasurer to the motor vehicle fund to defray administrative and other expenses incurred by the state department of licensing in the collection of the excise tax: PROVIDED, That one hundred percent of the proceeds of the additional two-tenths of one percent excise tax imposed by RCW 82.44.020(2), as now or hereafter amended, shall be credited by the state treasurer to the Puget Sound capital construction account in the motor vehicle fund: PROVIDED FURTHER, That all revenues collected under RCW 82.44.020(5) shall be credited by the state treasurer to the general fund.

Sec. 14. Section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 4, chapter 175, Laws of 1979 ex. sess. and RCW 82.44.150 are each amended to read as follows:

(1) The director of licensing shall on the twenty-fifth day of February, May, August and November of each year, commencing with November, 1971, advise the state treasurer of the total amount of motor vehicle excise taxes remitted to the department of licensing during the preceding calendar quarter ending on the last day of March, June, September and December, respectively, except for those payable under RCW 82.44.020(5), 82.44.030 and 82.44.070, from motor vehicle owners residing within each municipality which has levied a tax under RCW 35.58.273, which amount of excise taxes shall be determined by the director as follows:

The total amount of motor vehicle excise taxes remitted to the department, except those payable under RCW 82.44.020(5), 82.44.030 and 82.44.070, from each county shall be multiplied by a fraction, the numerator of which is the population of the municipality residing in such county, and the denominator of which is the total population of the county in which such municipality or portion thereof is located. The product of this computation shall be the amount of excise taxes from motor vehicle owners residing within such municipality or portion thereof. Where the municipality levying a tax under RCW 35.58.273 is located in more than one county, the above computation shall be made by county, and the combined products shall provide the total amount of motor vehicle excise taxes from motor vehicle owners residing in the municipality as a whole. Population figures required for these computations shall be supplied to the director by the office of financial management, who shall adjust the fraction annually.

(2) On the first day of the months of January, April, July, and October of each year, the state treasurer based upon information provided by the department of licensing shall make the following apportionment and distribution of motor vehicle excise taxes deposited in the general fund except taxes collected under RCW 82.44.020(5). A sum equal to seventeen percent thereof shall be paid to cities and towns in the proportions and for the purposes hereinafter set forth; a sum equal to seventy percent of all motor vehicle excise tax receipts, except taxes collected under

RCW 82.44.020(5), shall be allocable to the state school equalization fund and credited and transferred each year in the following order of priority:

(a) The amount required and certified by the state finance committee each year as being necessary for payment of principal of and interest on bonds authorized by ~~((chapter 26, Laws of 1963 extraordinary session))~~ RCW 28A.47.760 through 28A.47.774 in the ensuing twelve months and any additional amounts required by the covenants of such bonds shall be transferred from the state school equalization fund to the 1963 public school building bond retirement fund.

(b) Any remaining amounts in the state school equalization fund from the motor vehicle excise taxes not required for debt service on the above bond issues shall be transferred and credited to the general fund.

(3) The amount payable to cities and towns shall be apportioned among the several cities and towns within the state ratably, on the basis of the population as last determined by the office of financial management.

(4) When so apportioned, the amount payable to each such city and town shall be transmitted to the city treasurer thereof, and shall be utilized by such city or town for the purposes of police and fire protection and the preservation of the public health therein, and not otherwise. In case it be adjudged that revenue derived from the excise tax imposed by this chapter cannot lawfully be apportioned or distributed to cities or towns, all moneys directed by this section to be apportioned and distributed to cities and towns shall be credited and transferred to the state general fund.

(5) On the first day of the months of January, April, July, and October of each year, the state treasurer, based upon information provided by the department of licensing, shall remit motor vehicle excise tax revenues imposed and collected under RCW 35.58.273 as follows:

(a) The amount required to be remitted by the state treasurer to the treasurer of any municipality levying the tax shall not exceed in any calendar year the amount of locally-generated tax revenues, excluding the excise tax imposed under RCW 35.58.273 for the purposes of this section, which shall have been budgeted by the municipality to be collected in such calendar year for any public transportation purposes including but not limited to operating costs, capital costs, and debt service on general obligation or revenue bonds issued for these purposes; and

(b) In no event may the amount remitted in a single calendar quarter exceed the amount collected on behalf of the municipality under RCW 35.58.273 during the calendar quarter next preceding the immediately preceding quarter.

(6) At the close of each calendar year accounting period, but not later than April 1, each municipality that has received motor vehicle excise taxes under subsection (5) of this section shall transmit to the director of licensing and the state auditor a written report showing by source the previous year's budgeted tax revenues for public transportation purposes as compared to actual collections. Any municipality that has not submitted the report by April 1 shall cease to be eligible to receive motor vehicle excise taxes under subsection (5) of this section until the report is received by the director of licensing. If a municipality has received more or less money under subsection (5) of this section for the period covered by the report than it is entitled to receive by reason of its locally-generated collected tax revenues, the director of licensing shall, during the next ensuing quarter that the municipality is eligible to receive motor vehicle excise tax funds, increase or decrease the amount to be remitted in an amount equal to the difference between the locally-generated budgeted tax revenues and the locally-generated collected tax revenues. In no event may the amount remitted for a calendar year exceed the amount collected on behalf of the municipality under RCW 35.58.273 during that same calendar year. At the time of the next fiscal audit of each municipality, the state auditor shall verify the accuracy of the report submitted and notify the director of licensing of any discrepancies.

(7) The motor vehicle excise taxes imposed under RCW 35.58.273 and required to be remitted under this section shall be remitted without legislative appropriation.

(8) Any municipality levying and collecting a tax under RCW 35.58.273 which does not have an operating, public transit system or a contract for public transportation services in effect within one year from the initial effective date of the tax shall return to the state treasurer all motor vehicle excise taxes received under subsection (5) of this section.

Sec. 15. Section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 154, Laws of 1980 and RCW 82.45.060 are each amended to read as follows:

There is imposed an excise tax upon each sale of real property at the rate of one percent of the selling price: PROVIDED, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax shall be imposed in the amount of ten percent of the tax payable under this section.

Sec. 16. Section .14.02, chapter 79, Laws of 1947 as last amended by section 2, chapter 233, Laws of 1979 ex. sess. and RCW 48.14.020 are each amended to read as follows:

(1) Subject to other provisions of this chapter, each authorized insurer except title insurers shall on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax on premiums. Except as provided in subsection (2) of this section, such tax shall be in the amount of two percent of all premiums, excluding amounts returned to or the amount of reductions in premiums allowed to holders of industrial life policies for payment of premiums directly to an office of the insurer, collected or received by the insurer during the preceding calendar year in the case of foreign and alien insurers, and in the amount of one percent of all such premiums in the case of domestic insurers, for direct insurances, other than ocean marine and foreign trade insurances, after deducting premiums paid to policyholders as returned premiums, upon risks or property resident, situated, or to be performed in this state. For the purposes of this section the consideration received by an insurer for the granting of an annuity shall not be deemed to be a premium.

(2) In the case of insurers which require the payment by their policyholders at the inception of their policies of the entire premium thereon in the form of premiums or premium deposits which are the same in amount, based on the character of the risks, regardless of the length of term for which such policies are written, such tax shall be in the amount of two percent of the gross amount of such premiums and premium deposits upon policies on risks resident, located, or to be performed in this state, in force as of the thirty-first day of December next preceding, less the unused or unabsorbed portion of such premiums and premium deposits computed at the average rate thereof actually paid or credited to policyholders or applied in part payment of any renewal premiums or premium deposits on one-year policies expiring during such year.

(3) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed in the amount of ten percent of each tax payable under subsections (1) and (2) of this section. All revenues from this additional tax shall be deposited in the state general fund.

(4) Each authorized insurer shall with respect to all ocean marine and foreign trade insurance contracts written within this state during the preceding calendar year, on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax of three-quarters of one percent on its gross underwriting profit. Such gross underwriting profit shall be ascertained by deducting from the net premiums (i.e., gross premiums less all return premiums and premiums for reinsurance) on such ocean marine and foreign trade insurance contracts the net losses paid (i.e., gross losses paid less salvage and recoveries on reinsurance ceded)

during such calendar year under such contracts. In the case of insurers issuing participating contracts, such gross underwriting profit shall not include, for computation of the tax prescribed by this subsection, the amounts refunded, or paid as participation dividends, by such insurers to the holders of such contracts.

((4)) (5) The state does hereby preempt the field of imposing excise or privilege taxes upon insurers or their agents, other than title insurers, and no county, city, town or other municipal subdivision shall have the right to impose any such taxes upon such insurers or their agents.

((5)) (6) If an authorized insurer collects or receives any such premiums on account of policies in force in this state which were originally issued by another insurer and which other insurer is not authorized to transact insurance in this state on its own account, such collecting insurer shall be liable for and shall pay the tax on such premiums.

((6)) (7) This section shall be effective as to and shall govern the payment of all taxes falling due after the effective date of this code.

Sec. 17. Section 5, chapter 91, Laws of 1947 as last amended by section 1, chapter 42, Laws of 1967 and RCW 41.16.050 are each amended to read as follows:

There is hereby created and established in the treasury of each municipality a fund which shall be known and designated as the firemen's pension fund, which shall consist of: (1) All bequests, fees, gifts, emoluments or donations given or paid thereto((:)); (2) forty-five percent of all moneys received by the state from taxes on fire insurance premiums, except any such moneys received under RCW 48.14.020(3); (3) taxes paid pursuant to the provisions of RCW 41.16.060((:)); (4) interest on the investments of the fund((:)); and (5) contributions by firemen as provided for herein. The forty-five percent of moneys received from the tax on fire insurance premiums under the provisions of this chapter shall be distributed in the proportion that the number of paid firemen in the city, town or fire protection district bears to the total number of paid firemen throughout the state to be ascertained in the following manner: The secretary of the firemen's pension board of each city, town and fire protection district now or hereafter coming under the provisions of this chapter shall within thirty days after the taking effect of this 1961 amendatory act and on or before the fifteenth day of January thereafter, certify to the state treasurer the number of paid firemen in the fire department in such city, town or fire protection district. The state treasurer shall on or before the first day of June of each year deliver to the treasurer of each city, town and fire protection district coming under the provisions of this chapter his warrant, payable to each city, town or fire protection district for the amount due such city, town or fire protection district ascertained as herein provided and the treasurer of each such city, town or fire protection district shall place the amount thereof to the credit of the firemen's pension fund of such city, town or fire protection district.

Sec. 18. Section 3, chapter 261, Laws of 1945 as last amended by section 26, chapter 3, Laws of 1981 and RCW 41.24.030 are each amended to read as follows:

There is created in the state treasury a trust fund for the benefit of the firemen of the state covered by this chapter, which shall be designated the volunteer firemen's relief and pension fund and shall consist of:

(1) All bequests, fees, gifts, emoluments, or donations given or paid to the fund.
 (2) An annual fee for each member of its fire department to be paid by each municipal corporation for the purpose of affording the members of its fire department with protection from death or disability as herein provided as follows:

(a) Three dollars for each volunteer or part-paid member of its fire department;

(b) A sum equal to one-half of one percent of the annual salary attached to the rank of each full-paid member of its fire department, prorated for 1970 on the basis of services prior to March 1, 1970.

(3) Where a municipal corporation has elected to make available to the members of its fire department the retirement provisions as herein provided, an annual fee of thirty dollars for each of its firemen electing to enroll therein, ten dollars of which shall be paid by the municipality and twenty dollars of which shall be paid by the fireman.

(4) Forty percent of all moneys received by the state from ~~((its))~~ taxes on fire insurance premiums, except any such moneys received under RCW 48.14.020(3), shall be paid into the state treasury and credited to the fund.

(5) The state investment board, upon request of the state treasurer shall invest such portion of the amounts credited to the fund as is not, in the judgment of the treasurer, required to meet current withdrawals. Such investments may be made in such bonds, notes or other obligations now or hereafter authorized as an investment for the funds of the public employees' retirement system.

(6) All bonds or other obligations purchased according to ~~((subdivision))~~ subsection (5) of this section shall be forthwith placed in the custody of the state treasurer, and he shall collect the principal thereof and interest thereon when due.

The state investment board may sell any of the bonds or obligations so acquired and the proceeds thereof shall be paid to the state treasurer.

The interest and proceeds from the sale and redemption of any bonds or other obligations held by the fund shall be credited to and form a part of the fund.

All amounts credited to the fund shall be available for making the payments required by this chapter.

The state treasurer shall make an annual report showing the condition of the fund.

Sec. 19. Section 2, chapter 278, Laws of 1957 as last amended by section 2, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.020 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district a tax for the act or privilege of engaging within this state in the business of operating works, plants or facilities for the generation, distribution and sale of electric energy. With respect to each such district, except with respect to thermal electric generating facilities taxed under RCW 54.28.025, such tax shall be the sum of the following amounts: ~~((+))~~ (a) Two percent of the gross revenues derived by the district from the sale of all electric energy which it distributes to consumers who are served by a distribution system owned by the district; ~~((+))~~ (b) five percent of the first four mills per kilowatt-hour of wholesale value of self-generated energy distributed to consumers by a district; ~~((+))~~ (c) five percent of the first four mills per kilowatt-hour of revenue obtained by the district from the sale of self-generated energy for resale.

(2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there is levied and shall be collected an additional tax in the amount of ten percent of the tax payable under subsection (1) of this section.

Sec. 20. Section 6, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.025 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district operating a thermal electric generating facility, as defined in RCW 54.28.010 as now or hereafter amended, having a design capacity of two hundred fifty thousand kilowatts or more, located on a federal reservation, which is placed in operation after September 21, 1977, a tax for the act or privilege of engaging within the state in the business of generating electricity for use or sale, equal to one and one-half percent of wholesale value of energy produced for use or sale, except energy used in the operation of component parts of the power plant and associated transmission facilities under control of the person operating the power plant.

(2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there is levied and shall be collected an additional tax in the amount of ten percent of the tax payable under subsection (1) of this section.

Sec. 21. Section 4, chapter 278, Laws of 1957 as amended by section 31, chapter 278, Laws of 1975 1st ex. sess. and RCW 54.28.040 are each amended to read as follows:

Prior to May 1st, the department of revenue shall compute the tax imposed by this chapter for the last preceding calendar year and notify the district of the amount thereof, which shall be payable on or before the following June 1st. Upon receipt of the amount of each tax imposed the department of revenue shall deposit the same with the state treasurer, who shall deposit four percent (~~(thereof)~~) of the revenues received under RCW 54.28.020(1) and 54.28.025(1) and all revenues received under RCW 54.28.020(2) and 54.28.025(2) in the general fund of the state and shall distribute the remainder in the manner hereinafter set forth. The state treasurer shall send a duplicate copy of each (~~(such letter of)~~) transmittal to the department of revenue.

Sec. 22. Section 5, chapter 278, Laws of 1957 as last amended by section 8, chapter 154, Laws of 1980 and RCW 54.28.050 are each amended to read as follows:

After computing the tax imposed by RCW 54.28.020(1), the department of revenue shall instruct the state treasurer, after placing thirty-seven and six-tenths percent in the state general fund to be dedicated for the benefit of the public schools, to distribute the balance collected under RCW 54.28.020 (~~(subsection)~~) (1)(a) to each county in proportion to the gross revenue from sales made within each county; and to distribute the balance collected under RCW 54.28.020 (~~((2) and (3))~~) (1)(b) and (c) as follows: If the entire generating facility, including reservoir, if any, is in a single county then all of the balance to the county where such generating facility is located. If any reservoir is in more than one county, then to each county in which the reservoir or any portion thereof is located a percentage equal to the percentage determined by dividing the total cost of the generating facilities, including adjacent switching facilities, into twice the cost of land and land rights acquired for any reservoir within each county, land and land rights to be defined the same as used by the federal power commission. If the powerhouse and dam, if any, in connection with such reservoir are in more than one county, the balance shall be divided sixty percent to the county in which the owning district is located and forty percent to the other county or counties or if said powerhouse and dam, if any, are owned by a joint operating agency organized under chapter 43.52 RCW, or by more than one district or are outside the county of the owning district, then to be divided equally between the counties in which such facilities are located. If all of the powerhouse and dam, if any, are in one county, then the balance shall be distributed to the county in which the facilities are located.

The provisions of this section shall not apply to the distribution of taxes collected under RCW 54.28.025.

Sec. 23. Section 7, chapter 366, Laws of 1977 ex. sess. as amended by section 165, chapter 151, Laws of 1979 and RCW 54.28.055 are each amended to read as follows:

(1) After computing the tax imposed by RCW 54.28.025(1), the department of revenue shall instruct the state treasurer to distribute the amount collected as follows:

(a) Fifty percent to the state general fund for the support of schools; and
 (b) Twenty-two percent to the counties, twenty-three percent to the cities, three percent to the fire protection districts, and two percent to the library districts.

(2) Each county, city, fire protection district and library district shall receive a percentage of the amount for distribution to counties, cities, fire protection districts

and library districts, respectively, in the proportion that the population of such district residing within the impacted area bears to the total population of all such districts residing within the impacted area.

(3) If any distribution pursuant to subsection (1)(b) of this section cannot be made, then that share shall be prorated among the state and remaining local districts.

(4) All distributions directed by this section to be made on the basis of population shall be calculated in accordance with data to be provided by the office of financial management.

Sec. 24. Section 24—A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 12, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.210 are each amended to read as follows:

(1) There is hereby imposed upon all wines sold to wine wholesalers and the Washington state liquor control board, within the state a tax at the rate of twenty and one-fourth cents per liter: PROVIDED, HOWEVER, That wine sold or shipped in bulk from one winery to another winery shall not be subject to such tax. The tax (~~herein~~) provided for in this section may, if so prescribed by the board, be collected by means of stamps to be furnished by the board, or by direct payments based on wine purchased by wine wholesalers. Every person purchasing wine under the provisions of this section shall on or before the twentieth day of each month report to the board all purchases during the preceding calendar month in such manner and upon such forms as may be prescribed by the board, and with such report shall pay the tax due from the purchases covered by such report unless the same has previously been paid. Any such purchaser of wine whose applicable tax payment is not postmarked by the twentieth day following the month of purchase will be assessed a penalty at the rate of two percent a month or fraction thereof. If this tax be collected by means of stamps, every such person shall procure from the board revenue stamps representing the tax in such form as the board shall prescribe and shall affix the same to the package or container in such manner and in such denomination as required by the board and shall cancel the same prior to the delivery of the package or container containing the wine to the purchaser. If the tax is not collected by means of stamps, the board may require that every such person shall execute to and file with the board a bond to be approved by the board, in such amount as the board may fix, securing the payment of the tax. If any such person fails to pay the tax when due, the board may forthwith suspend or cancel the license until all taxes are paid.

(2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there is imposed an additional tax in the amount of ten percent of the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

Sec. 25. Section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 16, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.290 are each amended to read as follows:

(1) Any brewer or beer wholesaler licensed under this title may sell and deliver beer to holders of authorized licenses direct, but to no other person, other than the board; and every such brewer or beer wholesaler shall report all sales to the board monthly, pursuant to the regulations, and shall pay to the board as an added tax for the privilege of manufacturing and selling the beer within the state a tax of two dollars and sixty cents per barrel of thirty-one gallons on sales to licensees within the state and on sales to licensees within the state of bottled and canned beer shall pay a tax computed in gallons at the rate of two dollars and sixty cents per barrel of thirty-one gallons. Any brewer or beer wholesaler whose applicable tax payment is not postmarked by the twentieth day following the month of sale will be assessed a

penalty at the rate of two percent per month or fraction thereof. Each such brewer or wholesaler shall procure from the board revenue stamps representing such tax in form prescribed by the board and shall affix the same to the barrel or package in such manner and in such denominations as required by the board, and shall cancel the same prior to commencing delivery from his place of business or warehouse of such barrels or packages. Beer shall be sold by brewers and wholesalers in sealed barrels or packages. The revenue stamps herein provided for need not be affixed and canceled in the making of resales of barrels or packages already taxed by the affixation and cancellation of stamps as provided in this section.

(2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there is imposed an additional tax in the amount of ten percent of the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

(3) The ((above)) tax imposed under this section shall not apply to "strong beer" as defined in this title.

Sec. 26. Section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 1, chapter 148, Laws of 1981 and RCW 84.33.071 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 imposed 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, 1974 and June 30, 1983, inclusive, the stumpage value of timber harvested for sale or for commercial or industrial use multiplied by six and one-half percent((:)); plus

(b) For timber harvested between April 1, 1982, and June 30, 1983, inclusive, ten percent of the tax payable under (a) of this subsection. To facilitate collection of this additional tax, the department of revenue is authorized to adjust the total tax rate under this section to the nearest one-tenth of one percent, adjusting one-hundredths equal to or greater than five one-hundredths to the greater tenth.

(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) 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. Each year on or before December 31 for use the following January through June 30, and on or before June 30 for use the following July through December 31, 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, blow down, 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 ways and means committees of the house and senate 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 the sixtieth day after the date of final adoption of any stumpage value tables, 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 account A and a state timber tax reserve account in the state general fund and any interest earned on the investment of cash balances shall be deposited in these accounts. The revenues from the tax imposed by subsection (1)(a) of this section shall be deposited in state timber tax account A and state timber tax reserve account as follows:

YEAR OF COLLECTION	ACCOUNT A	RESERVE ACCOUNT
1973 and thereafter	100%	0%

The revenues from the tax imposed by subsection (1)(b) of this section shall be deposited in the state general fund.

(6) 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 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.

(7) 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.

(8) 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.

NEW SECTION. Sec. 27. (1) If the actual revenues, including penalties and interest collected under chapter 82.32 RCW upon taxes imposed under the chapters enumerated in this section, as:

(a) Collected under chapters 82.04, 82.08, 82.12, 82.16, and 82.26 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through August 10, 1982; and

(b) Collected under RCW 28A.47.440, and chapters 82.24 and 82.45 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through July 31, 1982;

equal or exceed one billion nine hundred sixty-one million nine hundred thousand dollars, or are less than or equal to one billion eight hundred ninety-one million nine hundred thousand dollars, then the rates for those additional taxes imposed by this act, except for the additional tax imposed by section 12 of this act, shall be uniformly adjusted either downward or upward to generate five billion three hundred thirty-five million seven hundred thousand dollars in revenues from taxes, imposed under the chapters enumerated in this subsection and under RCW 28A.47.440, for the entire biennium beginning July 1, 1981.

(2) The effective date of the adjustments under subsection (1) of this section shall be as follows:

(a) For taxes imposed under sections 10, 11, 20, and 26 of this act, the date shall be October 1, 1983.

(b) For all other taxes imposed under this act except the tax imposed under section 12 of this act, the date shall be September 1, 1982.

(3) If the actual revenues, including penalties and interest collected under chapter 82.32 RCW upon taxes imposed under the chapters enumerated in this section, as:

(a) Collected under chapters 82.04, 82.08, 82.12, 82.16, and 82.26 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through November 10, 1982; and

(b) Collected under RCW 28A.47.440, and chapters 82.24 and 82.45 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through October 31, 1982;

equal or exceed three billion one hundred seventy million eight hundred thousand dollars, or are less than or equal to three billion seventy million eight hundred thousand dollars, then the rates for those additional taxes imposed by this act, except for the additional tax imposed by section 12 of this act, shall be uniformly adjusted either downward or upward to generate five billion three hundred thirty-five million seven hundred thousand dollars in revenues from taxes, imposed under the chapters enumerated in this subsection and under RCW 28A.47.440, for the entire biennium beginning July 1, 1981.

(4) The effective date of the adjustments under subsection (3) of this section shall be as follows:

(a) For taxes imposed under sections 10, 11, 20, and 26 of this act, the date shall be January 1, 1983.

(b) For all other taxes imposed under this act except the tax imposed under section 12 of this act, the date shall be December 1, 1982.

(5) The department of revenue may adopt rules to implement this act. The department and the insurance commissioner shall adjust the tax rates in accordance with this section, and for purposes of facilitating the collection of the adjustments of additional tax shall adjust the rates of each tax imposed under sections 2, 8, and 26

of this act to the nearest decimal or percentage in the manner provided for each such tax by this act.

NEW SECTION. Sec. 28. 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."

Senator Goltz moved adoption of the following amendment by Senators Goltz, Zimmerman, Peterson and Gallagher:

On page 29, after line 18 insert:

On page 29, after line 18, insert the following:

"Sec. 30. Section 11, chapter 310, Laws of 1981 and RCW 77.32.340 are each amended to read as follows:

A supplemental stamp is required to hunt deer, elk, bear, cougar, sheep, mountain goat, or wild turkey.

(1) The fee for a deer stamp is ten dollars.

(2) The fee for a resident elk stamp is fifteen dollars. The fee for a nonresident elk stamp is seventy-five dollars.

(3) The fee for a resident bear stamp is ten dollars. The fee for a nonresident bear stamp is seventy-five dollars.

(4) The fee for a resident cougar stamp is ten dollars. The fee for a nonresident cougar stamp is one hundred fifty dollars.

(5) The fee for a mountain goat stamp is thirty-five dollars which shall be paid at the time of application. Applicants who are not selected for a mountain goat special season permit shall receive a refund of this fee, less five dollars.

(6) The fee for a mountain sheep stamp is ~~((thirty-five))~~ seventy-five dollars for residents and three hundred dollars for nonresidents and shall be paid at the time of application. Applicants who are not selected for a mountain sheep special season permit shall receive a refund of this fee, less five dollars.

(7) The fee for a moose stamp is one hundred dollars.

(8) The fee for a wild turkey stamp is ten dollars.

(9) To be valid, supplemental stamps required under this section shall be permanently affixed to the transport tag at the time of purchase and the stamp numbers legibly transferred to the hunting license.

(10) Supplemental stamps required under this section expire March 31st following the date of issuance.

Sec. 31. Section 14, chapter 310, Laws of 1981 and RCW 77.32.370 are each amended to read as follows:

(1) A special hunting season permit is required to hunt in each special season established under RCW 77.12.150.

(2) Persons may apply for special hunting season permits as provided by rule of the commission.

(3) The application fee to participate in a special hunting season is two dollars, except for mountain goats and mountain sheep which require submission of the entire stamp fee upon application."

POINT OF ORDER

Senator Scott: "Mr. President, I would raise the question of scope and object. The bill has to do with excise taxes, the proposed amendment has to do with a fee."

At 10:30 p.m., the Senate was declared to be at ease.

The President called the Senate to order at 10:35 p.m.

RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the Point of Order raised by Senator Scott, the President finds that the striking amendment to Substitute Senate Bill No.

4368, by Senator Scott, would impose a ten percent surcharge on all excise taxes and the retail sales tax.

"The amendment proposed by Senator Goltz and others increases the hunting fee for mountain goats and sheep.

"The President therefore finds that the proposed amendment does expand the scope and object of the bill and that the Point of Order is well taken."

The amendment by Senators Goltz, Zimmerman, Peterson and Gallagher was ruled out of order.

Senator Shinpoch moved adoption of the following amendment to the amendment by Senator Scott:

On page 4, line 11, after "Three" insert "and six-tenths"

POINT OF ORDER

Senator Hayner: "Senator Shinpoch, we had a bill out here last night that dealt with this same matter. Is that correct? And it did not pass, is that correct?"

Senator Shinpoch: "No, that is not correct. It did pass, yes. I might have tried it even if it had not passed, but the fact of the matter is, it did."

Senator Shinpoch demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senator Shinpoch to the amendment by Senator Scott.

ROLL CALL

The Secretary called the roll and the amendment to the amendment was adopted by the following vote: Yeas, 28; nays, 20; excused, 1.

Voting yea: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Fuller, Gaspard, Goltz, Gould, Haley, Hemstad, Hughes, Lysen, McDermott, Metcalf, Moore, Peterson, Quigg, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody—28.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Gallagher, Guess, Hansen, Hayner, Hurley, Jones, Kiskaddon, Lee, McCaslin, Newhouse, Patterson, Pullen, Scott, Sellar, Zimmerman—20.

Excused: Senator Talley—1.

Senator Shinpoch moved the following amendments to the amendment by Senator Scott be considered and adopted simultaneously:

On page 23, following line 18, insert a new section to read as follows:

"Sec. 26. Section 3, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.030 are each amended to read as follows:

For purposes of this chapter:

(1) "Timber county" means any county within which timber is located.

(2) "Timber" means forest trees, standing or down, on privately or publicly owned land, and except as provided in RCW 84.33.170 includes Christmas trees."

Re-number the remaining sections consecutively.

On page 23, beginning on line 19, strike all of section 26 and insert the following:

"Sec. 27. Section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 1, chapter 148, Laws of 1981 and RCW 84.33.071 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 imposed 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))~~ the tax rate under this section to the nearest one-tenth of one percent, adjusting one-hundredths equal to or greater than five one-hundredths to the greater tenth:

(a) For timber harvested between October 1, 1974 and June 30, 1983, inclusive, the stumpage value of timber harvested for sale or for commercial or industrial use multiplied by six and one-half percent(-); plus

(b) For timber harvested between April 1, 1982, and June 30, 1983, inclusive, ten percent of the tax payable under (a) of this subsection. To facilitate collection of this additional tax, the department of revenue is authorized to adjust the total.

(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 or publicly 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) 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. Each year on or before December 31 for use the following January through June 30, and on or before June 30 for use the following July through December 31, 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, blow down, 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 ways and means committees of the house and senate 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 the sixtieth day after the date of final adoption of any stumpage value tables, 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 account A and a state timber tax reserve account in the state general fund and any interest earned on the investment of cash balances shall be deposited in these accounts. The revenues from the tax imposed by subsection (1) (a) of this section shall be deposited in state timber tax account A and state timber tax reserve account as follows:

YEAR OF COLLECTION	ACCOUNT A	RESERVE ACCOUNT
1973 and thereafter	100%	0%

The revenues from the tax imposed by subsection (1) (b) of this section shall be deposited in the state general fund.

(6) 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 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.

(7) 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~~) 82.32.045 shall not apply to the taxes imposed by this section.

(8) 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.

Sec. 28. Section 1, chapter 146, Laws of 1981 and RCW 84.33.073 are each amended to read as follows:

As used in RCW 84.33.073 and 84.33.074, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) "Small 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 in an amount not exceeding five hundred thousand board feet in a calendar quarter and not exceeding one million board feet in a calendar year. It does not include persons performing under contract the necessary labor or mechanical services for a harvester, and it does not include harvesters of forest products classified by the department of revenue as special forest products including Christmas trees, posts, shake boards and bolts, and shingle blocks.

(2) "Timber" means forest trees, standing or down, on privately or publicly owned land.

(3) "Harvesting and marketing costs" means only those costs directly associated with harvesting the timber from the land and delivering it to the buyer and may include the costs of disposing of logging residues but it does not include any other costs which are not directly and exclusively related to harvesting and marketing of the timber such as costs of permanent roads or costs of reforesting the land following harvest."

Remember the remaining sections consecutively and correct the internal cross-references.

POINT OF ORDER

Senator Scott: "Mr. President, I guess my other option is to ask for your judgment as to the scope and object."

At 10:57 p.m., the Senate was declared to be at ease.

The President called the Senate to order at 11:16 p.m.

RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the Point of Order raised by Senator Scott, the President finds that the Senate striking amendment to Substitute Senate Bill No. 4368 is a measure which imposes a ten percent surcharge on existing excise taxes and the retail sales tax.

"The amendment proposed by Senator Shinpoch would add an entirely new tax to publicly owned timber lands.

"The President therefore finds that the proposed amendment does expand the scope and object of the bill and that the Point of Order is well taken."

The amendments by Senator Shinpoch to the amendment by Senator Scott were ruled out of order.

The motion by Senator Scott carried and the amendment, as amended, was adopted.

On motion of Senator Scott, the following amendment to the title was adopted:

On page 1, line 1 of the title, after "taxation;" strike the remainder of the title and insert "amending section 5, chapter 91, Laws of 1947 as last amended by section 1, chapter 42, Laws of 1967 and RCW 41.16.050; amending section 3, chapter 261, Laws of 1945 as last amended by section 26, chapter 3, Laws of 1981 and RCW 41.24.030; amending section .14.02, chapter 79, Laws of 1947 as last amended by section 2, chapter 233, Laws of 1979 ex. sess. and RCW 48.14.020; amending section 2, chapter 278, Laws of 1957 as last amended by section 2, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.020; amending section 6, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.025; amending section 4, chapter 278, Laws of 1957 as amended by section 31, chapter 278, Laws of 1975 1st ex. sess. and RCW 54.28.040; amending section 5, chapter 278, Laws of 1957 as last amended by section 8, chapter 154, Laws of 1980 and RCW 54.28.050; amending section 7, chapter 366, Laws of 1977 ex. sess. as amended by section 165, chapter 151, Laws of 1979 and RCW 54.28.055; amending section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 12, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.210; amending section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 16, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.290; amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 324, Laws of 1977 ex. sess. and RCW 82.04.2901; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 8, Laws of 1981 2nd ex. sess. and RCW 82.08.020; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 25, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.150; amending section 82.08.160, chapter 15, Laws of 1961 as last amended by section 26, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.160; amending section 82.16.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 299, Laws of 1971 ex. sess. and RCW 82.16.020; amending section 82.16.030, chapter 15, Laws of 1961 and RCW 82.16.030; amending section 82.20.010, chapter 15, Laws of 1961 and RCW 82.20.010; amending section 82.24.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 172, Laws of 1981 and RCW 82.24.020; amending section 82.26.020, chapter 15, Laws of 1961 as last amended by section 71, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.26.020; amending section 2, chapter 98, Laws of 1980 and RCW 82.27.020; amending section 3, chapter 61, Laws of 1975-'76 2nd

ex. sess. and RCW 82.29A.030; amending section 82.44.020, chapter 15, Laws of 1961 as last amended by section 10, chapter 222, Laws of 1981 and RCW 82.44.020; amending section 82.44.110, chapter 15, Laws of 1961 as last amended by section 235, chapter 158, Laws of 1979 and RCW 82.44.110; amending section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 4, chapter 175, Laws of 1979 ex. sess. and RCW 82.44.150; amending section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 154, Laws of 1980 and RCW 82.45.060; amending section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 1, chapter 148, Laws of 1981 and RCW 84.33.071; creating a new section; providing effective dates; and declaring an emergency."

On motion of Senator Scott, the rules were suspended, Engrossed Senate Bill No. 4368 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. 4368, and the bill failed to pass the Senate by the following vote: Yeas, 7; nays, 41; excused, 1.

Voting yea: Senators Bluechel, Clarke, Hayner, Jones, Kiskaddon, Lee, Scott—7.

Voting nay: Senators Bauer, Benitz, Bottiger, Charnley, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—41.

Excused: Senator Talley—1.

ENGROSSED SENATE BILL NO. 4368, having failed to receive the constitutional majority, was declared lost.

MOTIONS

On motion of Senator Clarke, there being no objection, all Senate Resolutions not acted upon were referred to the Committee on Rules.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, and having served prior notice today, Senator Scott moved the Senate reconsider the vote by which Engrossed Substitute House Joint Resolution No. 13, as amended by the Senate, failed to pass the Senate today.

MOTION

On motion of Senator Clarke, the motion for reconsideration by Senator Scott on Engrossed Substitute House Joint Resolution No. 13 was ordered held for the next working day.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator McCaslin moved the Senate reconsider the vote by which Senate Resolution 1982—190 was adopted, as amended, earlier today.

Senator Bottiger demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator McCaslin that the Senate reconsider the vote by which Senate Resolution 1982—190, as amended, was adopted.

ROLL CALL ON MOTION FOR RECONSIDERATION

The Secretary called the roll and the motion carried by the following vote: Yeas, 25; nays, 21; absent or not voting, 2; excused, 1.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—25.

Voting nay: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Moore, Peterson, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—21.

Absent or not voting: Senators Lysen, McDermott—2.

Excused: Senator Talley—1.

The President declared the following resolution is now before the Senate on reconsideration.

SENATE RESOLUTION 1982—190

By Senators Hurley, Hughes, Bauer, Bottiger, Moore, Lysen, Charnley, Ridder, Goltz, McCaslin, Williams, Wojahn, Rasmussen, Hansen, Talmadge, Gaspard, McDermott, Conner, Wilson, Pullen, Shinpoch, Gallagher, Fleming, Peterson, Woody and Metcalf:

WHEREAS, Washington State is in a fiscal crisis equal to or greater than any faced before; and

WHEREAS, All state agencies have been severely cut back and required to use remaining funds and human resources in the most prudent and efficient manner possible; and

WHEREAS, The number of employees in the Washington State Parks and Recreation Commission maintaining the 102 state parks has steadily declined, reducing important protections and services to a growing number of families who find camping their only affordable recreation; and

WHEREAS, The Washington State Parks and Recreation Commission has recently approved a resolution which purports to increase efficiency by eliminating local level district supervisors and creating two new regional headquarters in addition to the three now existing; and

WHEREAS, The proposed elimination of district supervisors and creation of more regional managers, assistant managers and other office staff has resulted in a deterioration of morale as evidenced by a recent overwhelming no-confidence vote; and

WHEREAS, The proposed reorganization would result in increased bureaucracy and additional costs by adding regional directors, assistant directors and office staff, while decreasing the number of uniformed on-site personnel;

NOW, THEREFORE, BE IT RESOLVED, That the Director and members of the Washington State Parks and Recreation Commission be hereby admonished to discontinue plans for increasing the number of administrative personnel and instead make every effort to maintain or improve the level of services at on-site park locations; and

BE IT FURTHER RESOLVED, That the Governor be requested to investigate the proposed reorganization as well as the management performance of the Parks and Recreation Commission and take whatever action is needed to correct the problem; and

BE IT FURTHER RESOLVED, That the Washington State Parks and Recreation Commission be directed to report to the Senate Parks and Ecology Committee within sixty days with full details on the proposed reorganization and justification, and after the Senate Parks and Ecology Committee has received the reports from the Parks Commission, and after the Governor has had sufficient time to complete his investigation, and if either find cause not to implement such reorganization, then the Parks and Recreation Commission shall take no action to implement such reorganization.

Senator Fuller moved adoption of the following amendment by Senators Fuller and McCaslin:

On page 1, line 13 after "and" strike all material down to and including "and" on line 16.

POINT OF INQUIRY

Senator Hughes: "Senator Fuller, if your concern is that they are not normally uniform and I do not know that to be the case, but I will take your word on it, why don't we just have an amendment that strikes the word 'uniformed' and I think your concern will be well addressed."

Senator Fuller: "I think we had better just strike that because it does not have much meaning if you take out the word 'uniformed.'"

Senator Hughes: "Senator, you say that was your intention that you did not want any confusion if the word 'uniformed' caused the confusion. If we remove that word, where is the confusion?"

Senator Fuller: "Well, I do not think the sentence still makes sense to say that the district supervisors are service delivery personnel. And that is what you would have left if you took out"

Senator Hughes: "You mean changing the 'not delivery service personnel'?"

Senator Fuller: "Not as such, they have managerial responsibilities also."

Senator Hughes: "Thank you."

POINT OF INQUIRY

Senator Hughes: "Senator McCaslin, as you know, you have had an opportunity to review this resolution now, I believe, for over three weeks. And I guess I am a little bit surprised that you suddenly discovered something in there that concerns you. And as I look at the list of these amendments, particularly some of the later ones, they actually gut the effect of this resolution which is to prevent the parks department from going ahead until this study comes in, and I am just wondering why you did not discover this material sooner?"

Senator McCaslin: "Well, to correct you, Senator Hughes, I have not viewed this for three weeks. I may have signed this resolution three weeks ago, and tonight when it came on the floor, after it had passed and discussing it with Senator Fuller, he pointed out that he felt some of these were incorrect and should be modified. I think, with the adoption of this amendment and the other amendments submitted by Senator Fuller, I think we will have reached a negotiated or agreed upon resolution that I would hope both sides would be happy with."

Debate ensued.

Senator Rasmussen demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senators Fuller and McCaslin.

ROLL CALL

The Secretary called the roll and the amendment was adopted by the following vote: Yeas, 25; nays, 21; absent or not voting, 2; excused, 1.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—25.

Voting nay: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Moore, Peterson, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—21.

Absent or not voting: Senators Lysen, McDermott—2.

Excused: Senator Talley—1.

Senator Fuller moved the following amendments by Senators Fuller and McCaslin be considered and adopted simultaneously:

On page 1, line 32 after "justification" strike "therefore and to take no action to implement such reorganization until" and insert ", and"

On page 1, line 34 after "Commission" strike "and" and insert ", and after"

On page 1, line 35 after "investigation" insert ", and if each find cause not to implement such reorganization, then the Parks and Recreation Commission shall take no action to implement such reorganization"

On motion of Senator Metcalf, the following amendment to the amendment was adopted:

On the first line of the amendment to page 1, line 35, strike "each" and insert "either"

The President declared the question before the Senate to be the amendments by Senators Fuller and McCaslin as amended by Senator Metcalf.

Senator Rasmussen demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendments by Senators Fuller and McCaslin as amended by Senator Metcalf.

ROLL CALL

The Secretary called the roll and the amendments, as amended, were adopted by the following vote: Yeas, 24; nays, 22; absent or not voting, 2; excused, 1.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hansen, Hayner, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Sellar, von Reichbauer, Zimmerman—24.

Voting nay: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hemstad, Hughes, Hurley, Moore, Peterson, Rasmussen, Ridder, Scott, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—22.

Absent or not voting: Senators Lysen, McDermott—2.

Excused: Senator Talley—1.

Senators Scott, Wilson and Benitz demanded the previous question and the demand was sustained.

The President declared the question before the Senate to be adoption of Senate Resolution 1982—190, as amended, on reconsideration.

The motion by Senator McCaslin carried and the resolution, as amended, was adopted on reconsideration.

MOTIONS

On motion of Senator Clarke, the Senate returned to the first order of business.

REPORT OF STANDING COMMITTEE

April 2, 1982.

SUBSTITUTE HOUSE BILL NO. 1216, authorizing institutions of higher education to purchase private sector services (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Scott, Chairman; Bluechel, Craswell, Deccio, Haley, Hayner, Jones, Lee, Zimmerman.

MOTION

Senator Clarke moved the rules be suspended and Substitute House Bill No. 1216 be placed on second reading calendar for April 3, 1982.

PARLIAMENTARY INQUIRY

Senator Bottiger: "Mr. President, parliamentary inquiry, two of them, actually. First of all, does that require a suspension of the rules, and if it does, does it require a two-thirds vote?"

REPLY BY THE PRESIDENT

President Cherberg: "The motion to place the bill on the calendar would require suspension of the rules but on a majority vote."

The motion by Senator Clarke carried.

Substitute House Bill No. 1216 was placed on second reading calendar for April 3, 1982.

REPORT OF STANDING COMMITTEE

March 26, 1982.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1226, modifying provisions relating to public employees (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Scott, Chairman; Bluechel, Craswell, Deccio, Haley, Hayner, Jones, Lee, Zimmerman.

MOTION

On motion of Senator Clarke, the rules were suspended and Engrossed Substitute House Bill No. 1226 was placed on the second reading calendar for April 3, 1982.

PARLIAMENTARY INQUIRY

Senator Rasmussen: "Senator Bottiger asked the question, 'Does it require a reading of three separate days as provided by the Constitution?' I am reinstating that question. Will you review that overnight, Mr. President? That is not Senate rules, that is the Constitution."

REPLY BY THE PRESIDENT

President Cherberg: This is a committee report, Senator."

REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "I understand that, Mr. President, but the bill will be out before us when it is being placed on second reading. I was just thinking ahead of the questions that we may ask at that time and I wanted you to have a chance to review the matter while the night was still early."

REPLY BY THE PRESIDENT

President Cherberg: "Thank you, Senator Rasmussen. The President will sleep on your question."

SIGNED BY THE PRESIDENT

The President signed: SENATE BILL NO. 4717.

MOTION

At 11: 59 p.m., on motion of Senator Clarke, the Senate adjourned until 10:00 a.m., Saturday, April 3, 1982.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-THIRD DAY

MORNING SESSION

Senate Chamber, Olympia, Saturday, April 3, 1982.

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 McDermott and Talley. On motion of Senator Ridder, Senators McDermott and Talley were excused.

The Color Guard, consisting of Pages Jodi Ulery and Lonnie Herington, presented the Colors. Reverend Lester G. Olson, pastor of Gloria Dei Lutheran Church of Olympia, offered the prayer.

MOTION

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

MESSAGE FROM THE HOUSE

April 2, 1982.

Mr. President: The House has passed: ENGROSSED SUBSTITUTE HOUSE BILL NO. 1230, and the same is herewith transmitted.

VITO CHIECHI, Chief Clerk.

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1230, by Committee on Ways and Means (originally sponsored by Committee on Ways and Means and Representative Chandler):

Modifying appropriations for capital facilities.

Referred to Committee on Ways and Means.

MOTION

On motion of Senator Clarke, the Senate advanced to the seventh order of business.

THIRD READING

ENGROSSED SENATE BILL NO. 4548, by Senators Haley, Charnley, Hemstad and Bluechel:

Requiring children under five in their parents' vehicles to be secured in a child passenger restraint system.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 4548.

Debate ensued.

POINT OF INQUIRY

Senator Patterson: "Senator Clarke, my primary concern, really, is for grandparents, that is my primary concern, Senator, is for the grandparents, who, as all of

us know, have the children with us from time-to-time, and maybe the seat was not available and I am concerned for what kind of liability they would have under this law? If there was a bad accident and even if the child was killed or badly injured, I want to know what their liability is?"

Senator Clarke: "Senator, in my humble opinion, and it is just the off the top of my head opinion of one attorney, but the grandparents would be in really no different situation than any other person who happened to have custody of the child at the time and had the child riding in the automobile with them.

"Now, it is true that passage of a law such as this, regardless of who happens to be operating the car at the time, a good plaintiff's lawyer will call attention to the fact that the legislature has, by enactment of this law, evidenced the fact that they favor the use of this kind of protection and so I certainly cannot assure you that this would make no difference whatsoever in litigation with respect to anyone who is driving a car and a child is injured because of the fact they did not have the restraint, but actually, that could be argued even if you do not pass this law. It could be shown that if you are claiming that it was negligence that even without this law, if it is common practice or if evidence could be shown that this type of precaution could be taken, that is properly entered, can be properly introduced in evidence. The passage of this law simply gives it an additional stature. We will say, before a jury, because plaintiff's counsel can then tell the jury, 'Look, the legislature has enacted this.'

"Now maybe I have overblown the thing but I have gone as far as I can in my own analysis of it."

Further debate ensued.

POINT OF INQUIRY

Senator Rasmussen: "Senator Clarke, on page 1, ' . . . After December 31, 1982, the parent or legal guardian of a child less than five years old, when the parent or legal guardian is operating anywhere in the state his or her own motor vehicle . . . ', this does not limit that to only owners of vehicles in Washington state, does it? Anybody that comes in here? I am thinking we have a \$4,000,000 tourist program that we are spending money on to invite people to come into the state. And as I read this, Senator Clarke, this would affect anyone who comes, drives his or her own vehicle in the state. Is that correct? Whether or not they are a resident here?"

Senator Clarke: ". . . correct."

Senator Rasmussen: "That would seem to be, and I agree with Senator Hansen and Senator Patterson that we all want to have children in restraints as much as possible and we all should use our own seat belts but I think this is wrong to have this kind of a law where some visitor coming into the state, not knowing anything about our law, can be subject to arrest and citation and I know how much I appreciate getting a ticket in some other state and then having to come back to their courts four or five days later."

MOTION

Senator Clarke moved the rules be suspended and Engrossed Senate Bill No. 4548 be returned to second reading.

POINT OF INQUIRY

Senator Goltz: "Senator Clarke, as a follow-up Senator Rasmussen's question about visitors, it seems to me that the language on line 20 of section 2 which describes the motor vehicles that are covered, must be registered under chapter 46.16 RCW, that we are, in effect, limiting this law to only those vehicles which are

registered in the state of Washington so visitors to the state would not be covered by this law and I think the question that was raised therefore, is moot."

Senator Clarke: "Senator, I think you are correct and I was in error in my response to Senator Rasmussen."

The motion by Senator Clarke carried and Engrossed Senate Bill No. 4548 was returned to second reading.

Senator Hemstad moved adoption of the following amendment by Senators Hemstad and Talmadge:

On page 2, line 10, after "constitute" insert "evidence of negligence." and strike the remaining language through "guardian." on line 11.

POINT OF INQUIRY

Senator Wilson: "Senator Hemstad, would adoption of this amendment, then, substantially or entirely remove this law, if it passes, as a factor in civil litigation?"

Senator Hemstad: "Senator Wilson, perhaps Senator Talmadge may wish to comment further on this, but it would be my opinion it would entirely eliminate it as a factor."

Senator Wilson: "And with respect to grandparents or anybody else?"

Senator Hemstad: "With respect to grandparents and with respect to parents."

REMARKS BY SENATOR TALMADGE

Senator Talmadge: "Thank you, Mr. President. In response to Senator Wilson's question, I concur with Senator Hemstad. I think it does exactly that. There would be no liability for parents or grandparents, civilly. The only responsibility left in the act is with respect to traffic infractions and that is confined only to parents and legal guardians."

The motion by Senator Hemstad carried and the amendment was adopted.

Senator Pullen moved adoption of a facetious amendment regarding Senator Hurley's grandchildren in response to remarks made by Senator Hurley during floor debate.

On motion of Senator Hurley, the amendment by Senator Pullen was withdrawn.

Further debate ensued.

On motion of Senator Charnley, the rules were suspended, Reengrossed Senate Bill No. 4548 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Hurley: "Senator Talmadge, my question relates to the \$30.00 penalty. I understand that if there is no restraint system for the child, then there is going to be a warning and if they are caught without the seat, then there is going to be a \$30.00 penalty. But is that penalty also attached to the fact that the child might not be in the seat? The seat might be there but what if the seat is vacant and the child is sitting down beside it instead of in it?"

Senator Talmadge: "My understanding is the child must be confined in the auto restraint system in the automobile, if they are 5 years old or under."

Senator Hurley: "But then, if they are not, then they receive this \$30.00 penalty, is that right?"

Senator Talmadge: "Initially, they would receive the warning, later on they would be guilty of a traffic infraction and the ticket would be issued."

Senator Hurley: "The only other alternative would be to stay home, I guess."

REMARKS BY SENATOR HEMSTAD

Senator Hemstad: "In further answer to Senator Hurley, any legal system has to have some 'give' in it and any police officer, of course, knows that every time he or she is out on the beat, or a traffic policeman in the same way, and he has to make a judgment as to whether he is going to issue a ticket or not. And that goes on every day and it will surely go on here, too.

"And I would assume that that traffic policeman or highway patrolman would make the kind of judgment that we would hope he would make as to what is an appropriate time to issue, first the warning, and later on a traffic infraction, depending on what the particular circumstances are.

"You have that kind of 'give' in the system that allows for that kind of dealing with particular circumstances as they may arise and the kind of explanation that can be given by the driver as to why the child, at that particular time, was not in the restraint; but then beyond that, going to the merits of it, at the national level now, there is increasing focus of attention on this as one of the easiest, fastest ways to reduce the carnage on our highways and save lives and reduce the significant number of injuries.

"Very inexpensive, not millions and millions of dollars kinds of impacts that we are talking about in changing design of highways, but a very simple device that will save lives and reduce injuries; and one that a responsible parent ought to be doing anyway.

"A law does a couple of things: it sets standards, but it also has the mechanism of informing and communicating value; and that is what this is doing here; and not only on the standards setting, but a value communication, this is a highly desirable piece of legislation."

Senators Peterson, Wilson and Quigg 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 Reengrossed Senate Bill No. 4548.

ROLL CALL

The Secretary called the roll on the final passage of Reengrossed Senate Bill No. 4548, and the bill passed the Senate by the following vote: Yeas, 33; nays, 11; absent or not voting, 3; excused, 2.

Voting yea: Senators Bauer, Bluechel, Bottiger, Charnley, Clarke, Conner, Fleming, Fuller, Gallagher, Gaspard, Goltz, Guess, Haley, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lysen, Moore, Newhouse, Patterson, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody, Zimmerman—33.

Voting nay: Senators Benitz, Craswell, Deccio, Gould, Hansen, McCaslin, Metcalf, Peterson, Pullen, Quigg, Rasmussen—11.

Absent or not voting: Senators Hayner, Lee, von Reichbauer—3.

Excused: Senators McDermott, Talley—2.

REENGROSSED SENATE BILL NO. 4548, having received the 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 BILL NO. 1099, by House Committee on Appropriations—General Government and Representative Williams:

Revising forest fire protection assessments.

THIRD READING

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on final passage of Engrossed House Bill No. 1099, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1099, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 30; nays, 17; excused, 2.

Voting yea: Senators Benitz, Bluechel, Charnley, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Scott, Sellar, Shipoch, Vognild, von Reichbauer, Woody, Zimmerman—30.

Voting nay: Senators Bauer, Bottiger, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, Moore, Pullen, Ridder, Talmadge, Williams, Wilson, Wojahn—17.

Excused: Senators McDermott, Talley—2.

ENGROSSED HOUSE BILL NO. 1099, 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.

REMARKS BY SENATOR GUESS

Senator Guess: "Mr. President, I would like to share with the body some of my ruminations and cogitations over the events of the past few hours and days.

"As I reflect on the society that we live in, I find that there are halls of fame for basketball players and football players and baseball players and cowboys and pioneers and founding fathers and others, but not for retired legislators.

"I would like to move that a hall of fame be established for this latter group and I would like to nominate one of our members to be Number One. He is a man, who, first of all, is courageous beyond all measure, he possesses a unique quality of clairvoyance, known to be possessed by no other member of this body. His perception of his duties to his fellow man inspired his decision to take his leave from these hallowed halls.

"This most laudable, foresighted, forthright and masterful action caused for him a position of preeminence attained by not one of us, save this one.

"I give to you that distinguished, ebullient, efficacious and voracious Senator, Senator Bruce Wilson. I hope you will join me."

PERSONAL PRIVILEGE

Senator Wilson: "I am staggered by this message, Senator, and will never forget it, along with a lot of other things that have happened around here."

REMARKS BY THE PRESIDENT

President Cherberg: "Thank you very much, Senator Guess. It is a remarkably good idea, extremely well done."

MOTION

On motion of Senator Clarke, the motion for reconsideration on Engrossed Substitute House Joint Resolution No. 13 was ordered held for the next working day.

MOTION

At 11:49 a.m., on motion of Senator Clarke, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 2:30 p.m.

MOTION

At 2:36 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 2:50 p.m.

MOTION

At 2:50 p.m., on motion of Senator Clarke, the Senate adjourned until 5:00 p.m., Sunday, April 4, 1982.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia, Sunday, April 4, 1982.

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 Lysen and Talley. On motion of Senator Ridder, Senator Talley was excused.

The Color Guard, consisting of Pages Marsha McLean and Joe Vozenilek, presented the Colors. Reverend Charles Loyer, former pastor of Westminster United Presbyterian Church of Olympia, offered the prayer.

Reverend Loyer is now retired.

MOTION

On motion of Senator Clarke, 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 Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 6:25 p.m.

MESSAGES FROM THE HOUSE

April 3, 1982.

Mr. President: The Speaker has signed: HOUSE BILL NO. 736, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

April 3, 1982

Mr. President: The Speaker has signed:

SENATE BILL NO. 4634,

SENATE BILL NO. 4717, and the same are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: HOUSE BILL NO. 736.

MOTION

On motion of Senator Clarke, the Senate commenced consideration of the House Message on Engrossed Senate Bill No. 4640.

MESSAGE FROM THE HOUSE

March 31, 1982.

Mr. President: The House has passed: ENGROSSED SENATE BILL NO. 4640, with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 18, chapter 267, Laws of 1971 ex. sess. as amended by section 1, chapter 205, Laws of 1979 ex. sess. and RCW 2.10.180 are each amended to read as follows:

(1) The right of a person to a retirement allowance, disability allowance, or death benefit, the retirement, disability or death allowance itself, any optional benefit, any other right accrued or accruing to any person under the provisions of this chapter, and the moneys in the fund created under this chapter, are hereby exempt from any state, county, municipal, or other local tax and shall not be subject to execution, garnishment, or any other process of law whatsoever: PROVIDED, That benefits under this chapter shall be payable to a spouse or ex-spouse to the extent expressly provided for in any court decree of dissolution or legal separation or in any court order or court-approved property settlement agreement incident to any court decree of dissolution or legal separation.

(2) Subsection (1) of this section shall not be deemed to prohibit a beneficiary of a retirement allowance from authorizing deductions therefrom for payment of premiums due on any group insurance policy or plan issued for the benefit of a group comprised of public employees of the state of Washington.

(3) Deductions made in the past from retirement benefits are hereby expressly recognized, ratified, and affirmed. Future deductions may only be made in accordance with this section.

Sec. 2. Section 1, chapter 229, Laws of 1937 as last amended by section 4, chapter 106, Laws of 1973 and RCW 2.12.010 are each amended to read as follows:

Any judge of the supreme court, court of appeals, or superior court of the state of Washington who heretofore and/or hereafter shall have served as a judge of any such courts for eighteen years in the aggregate or who shall have served ten years in the aggregate and shall have attained the age of seventy years or more may, during or at the expiration of his term of office, in accordance with the provisions of this chapter, be retired and receive the retirement pay herein provided for. In computing such term of service, there shall be counted the time spent by such judge in active service in the armed forces of the United States of America, under leave of absence from his judicial duties as provided for under chapter 201, Laws of 1941 (~~chapter 73.16 RCW~~): PROVIDED, HOWEVER, That in computing such credit for such service in the armed forces of the United States of America no allowance shall be made for service beyond the date of the expiration of the term for which such judge was elected. Any judge desiring to retire under the provisions of this section shall file with the (~~state treasurer, who is hereby created treasurer, ex officio, of the fund hereinafter established, and who is hereinafter referred to as "the treasurer,"~~) director of retirement systems, a notice in duplicate in writing, verified by his affidavit, fixing a date when he desires his retirement to commence, one copy of which the (~~treasurer~~) director shall forthwith file with the administrator for the courts. The notice shall state his name, the court or courts of which he has served as judge, the period of service thereon and the dates of such service. (~~No retirement shall be made within a period of less than thirty days after such statement is filed, and no retirement after separation from office by expiration of term shall be allowed unless the statement be filed within thirty days thereafter.~~)

Sec. 3. Section 2, chapter 229, Laws of 1937 as last amended by section 2, chapter 18, Laws of 1982 and RCW 2.12.020 are each amended to read as follows:

(1) Any judge of the supreme court, court of appeals, or superior court of the state of Washington, who heretofore and/or hereafter shall have served as a judge of any such courts for a period of ten years in the aggregate, and who shall believe he has become physically or otherwise permanently incapacitated for the full and efficient performance of the duties of his office, may file with the (~~treasurer~~) director of retirement systems an application in duplicate in writing, asking for retirement, which application shall be signed and verified by the affidavit of the applicant or by

someone in his behalf and which shall set forth his name, the office then held, the court or courts of which he has served as judge, the period of service thereon, the dates of such service and the reasons why he believes himself to be, or why they believe him to be incapacitated. Upon filing of such application the ((treasurer)) director shall forthwith transmit a copy thereof to the governor who shall appoint three physicians of skill and repute, duly licensed to practice their professions in the state of Washington, who shall, within fifteen days thereafter, for such compensation as may be fixed by the governor, to be paid out of the fund hereinafter created, examine said judge and report, in writing, to the governor their findings in the matter. If a majority of such physicians shall report that in their opinion said judge has become permanently incapacitated for the full and efficient performance of the duties of his office, and if the governor shall approve such report, he shall file the report, with his approval endorsed thereon, in the office of the ((treasurer)) director and a duplicate copy thereof with the administrator for the courts, and from the date of such filing the applicant shall be deemed to have retired from office and be entitled to the benefits of this chapter to the same extent as if he had retired under the provisions of RCW 2.12.010.

(2) The retirement for disability of a judge, who has served as a judge of the supreme court, court of appeals, or superior court of the state of Washington for a period of ten years in the aggregate, by the supreme court under Article IV, section 31 of the Constitution of the state of Washington (House Joint Resolution No. 37, approved by the voters November 4, 1980), with the concurrence of the retirement board, shall be considered a retirement under subsection (1) of this section.

Sec. 4. Section 5, chapter 229, Laws of 1937 as last amended by section 1, chapter 75, Laws of 1977 and RCW 2.12.050 are each amended to read as follows:

There is hereby created a fund in the state treasury to be known as "The Judges' Retirement Fund" which shall consist of the moneys appropriated from the general fund in the state treasury, as hereinafter provided; the deductions from salaries of judges, as hereinafter provided, all gifts, donations, bequests and devises made for the benefit of said fund, and the rents, issues and profits thereof, or proceeds of sales of assets thereof. The state treasurer shall be treasurer, ex officio, of this fund. The treasurer shall be custodian of the moneys in said judges' retirement fund. The department of retirement systems shall receive all moneys payable into said fund and make disbursements therefrom as provided in this chapter. The department shall keep written permanent records showing all receipts and disbursements of said fund.

Sec. 5. Section 15, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.540 are each amended to read as follows:

A member who ceases to be an employee of an employer except by service or disability retirement may request a refund of the member's accumulated contributions. The refund shall be made within ninety days following the receipt of the request and notification of termination through the contribution reporting system by the employer; except that in the case of death, an initial payment shall be made within thirty days of receipt of request for such payment and notification of termination through the contribution reporting system by the employer. A member who files a request for refund and subsequently enters into employment with another employer prior to the refund being made shall not be eligible for a refund. The refund of accumulated contributions shall terminate all rights to benefits under RCW 41.26.410 through 41.26.550.

Sec. 6. Section 1, chapter 80, Laws of 1947 as last amended by section 5, chapter 256, Laws of 1981 and RCW 41.32.010 are each amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context:

(1) (a) "Accumulated contributions" for persons who establish membership in the retirement system on or before September 30, 1977, means the sum of all regular annuity contributions with regular interest thereon.

(b) "Accumulated contributions" for persons who establish membership in the retirement system on or after October 1, 1977, means the sum of all contributions standing to the credit of a member in the member's individual account together with the regular interest thereon.

(2) "Actuarial equivalent" means a benefit of equal value when computed upon the basis of such mortality tables and regulations as shall be adopted by the director and regular interest.

(3) "Annuity" means the moneys payable per year during life by reason of accumulated contributions of a member.

(4) "Annuity fund" means the fund in which all of the accumulated contributions of members are held.

(5) "Annuity reserve fund" means the fund to which all accumulated contributions are transferred upon retirement.

(6) (a) "Beneficiary" for persons who establish membership in the retirement system on or before September 30, 1977, means any person in receipt of a retirement allowance or other benefit provided by this chapter.

(b) "Beneficiary" for persons who establish membership in the retirement system on or after October 1, 1977, means any person in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by another person.

(7) "Contract" means any agreement for service and compensation between a member and an employer.

(8) "Creditable service" means membership service plus prior service for which credit is allowable. This subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(9) "Dependent" means receiving one-half or more of support from a member.

(10) "Disability allowance" means monthly payments during disability. This subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(11) (a) "Earnable compensation" for persons who establish membership in the retirement system on or before September 30, 1977, means all salaries and wages paid by an employer to an employee member of the retirement system for personal services rendered during a fiscal year. In all cases where compensation includes maintenance the employer shall fix the value of that part of the compensation not paid in money: PROVIDED, That retroactive payments to an individual by an employer on reinstatement of the employee in a position, or payments by an employer to an individual in lieu of reinstatement in a position which are awarded or granted as the equivalent of the salary or wages which the individual would have earned during a payroll period shall be considered earnable compensation and the individual shall receive the equivalent service credit: PROVIDED FURTHER, That if a leave of absence, without pay, is taken by a member for the purpose of serving as a member of the state legislature, and such member has served in the legislature five or more years, the salary which would have been received for the position from which the leave of absence was taken shall be considered as compensation earnable if the employee's contribution thereon is paid by the employee. In addition, where a member has been a member of the state legislature for five or more years, earnable compensation for the member's two highest compensated consecutive years of service shall include a sum not to exceed thirty-six hundred dollars for each of such two consecutive years, regardless of whether or not legislative service was rendered during those two years.

(b) "Earnable compensation" for persons who establish membership in the retirement system on or after October 1, 1977, means salaries or wages earned by a member during a payroll period for personal services, including overtime payments, as reported by the employer on the wage and tax statement submitted to the federal internal revenue service, but shall exclude lump sum payments for deferred annual sick leave, and shall include wages and salaries deferred under provisions established pursuant to sections 403(b) and 457 of the United States Internal Revenue Code, unused accumulated vacation, unused accumulated annual leave, or any form of severance pay: PROVIDED, That retroactive payments to an individual by an employer on reinstatement of the employee in a position or payments by an employer to an individual in lieu of reinstatement in a position which are awarded or granted as the equivalent of the salary or wages which the individual would have earned during a payroll period shall be considered earnable compensation, to the extent provided above, and the individual shall receive the equivalent service credit: PROVIDED FURTHER, That in any year in which a member serves in the legislature the member shall have the option of having such member's earnable compensation be the greater of:

(i) the earnable compensation the member would have received had such member not served in the legislature; or

(ii) such member's actual earnable compensation received for teaching and legislative service combined. Any additional contributions to the retirement system required because compensation earnable under subparagraph (i) of this subsection is greater than compensation earnable under subparagraph (ii) of this subsection shall be paid by the member for both member and employer contributions.

(12) "Employer" means the state of Washington, the school district, or any agency of the state of Washington by which the member is paid.

(13) "Fiscal year" means a year which begins July 1st and ends June 30th of the following year.

(14) "Former state fund" means the state retirement fund in operation for teachers under chapter 187, Laws of 1923, as amended.

(15) "Local fund" means any of the local retirement funds for teachers operated in any school district in accordance with the provisions of chapter 163, Laws of 1917 as amended.

(16) "Member" means any teacher included in the membership of the retirement system. Also, any other employee of the public schools who, on July 1, 1947, had not elected to be exempt from membership and who, prior to that date, had by an authorized payroll deduction, contributed to the annuity fund.

(17) "Membership service" means service rendered subsequent to the first day of eligibility of a person to membership in the retirement system: PROVIDED, That where a member is employed by two or more employers the individual shall only receive one month's service credit during any calendar month in which multiple service is rendered. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(18) "Pension" means the moneys payable per year during life from the pension reserve fund.

(19) (~~"Pension fund" means a fund from which all pension obligations are to be paid.~~

~~(20)) "Pension reserve fund" is a fund ((in the state treasury)) in which shall be accumulated an actuarial reserve adequate to meet present and future pension liabilities of the system and from which all pension obligations are to be paid.~~

((21)) (20) "Prior service" means service rendered prior to the first date of eligibility to membership in the retirement system for which credit is allowable. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

((22)) (21) "Prior service contributions" means contributions made by a member to secure credit for prior service. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

((23)) (22) "Public school" means any institution or activity operated by the state of Washington or any instrumentality or political subdivision thereof employing teachers, except the University of Washington and Washington State University.

((24)) (23) "Regular contributions" means the amounts required to be deducted from the compensation of a member and credited to the member's individual account in the annuity fund. This subsection shall apply only to persons establishing membership in the retirement system on or before September 30, 1977.

((25)) (24) "Regular interest" means such rate as the director may determine.

((26)) (25) (a) "Retirement allowance" for persons who establish membership in the retirement system on or before September 30, 1977, means the sum of annuity and pension or any optional benefits payable in lieu thereof.

(b) "Retirement allowance" for persons who establish membership in the retirement system on or after October 1, 1977, means monthly payments to a retiree or beneficiary as provided in this chapter.

((27)) (26) "Retirement system" means the Washington state teachers' retirement system.

((28)) (27) (a) "Service" means the time during which a member has been employed by an employer for compensation: PROVIDED, That where a member is employed by two or more employers the individual shall only receive one month's service credit during any calendar month in which multiple service is rendered.

(b) "Service" for persons who establish membership in the retirement system on or after October 1, 1977, means periods of employment by a member for one or more employers for which earnable compensation is earned for ninety or more hours per calendar month. Members shall receive twelve months of service for each contract year or school year of employment.

Any person who is a member of the teachers' retirement system and who is elected or appointed to a state elective position may continue to be a member of the retirement system and continue to receive service credit for the time spent in a state elective position by making the required member contributions.

When an individual is employed by two or more employers the individual shall only receive one month's service credit during any calendar month in which multiple service for ninety or more hours is rendered.

Notwithstanding RCW 41.32.240, teachers covered by RCW 41.32.755 through 41.32.825, who render service need not serve for ninety days to obtain membership so long as the required contribution is submitted for such ninety-day period. Where a member did not receive service credit under RCW 41.32.775 through 41.32.825 due to the ninety-day period in RCW 41.32.240 the member may receive service credit for that period so long as the required contribution is submitted for the period. Anyone entering membership on or after October 1, 1977, and prior to July 1, 1979, shall have until June 30, 1980, to make the required contribution in one lump sum.

((29)) (28) "Survivors' benefit fund" means the fund from which survivor benefits are paid to dependents of deceased members. This subsection shall apply only to persons establishing membership in the retirement system on or before September 30, 1977.

((30)) (29) "Teacher" means any person qualified to teach who is engaged by a public school in an instructional, administrative, or supervisory capacity, including

state, educational service district, city superintendents and their assistants and certificated employees; and in addition thereto any qualified school librarian, any registered nurse or any full time school doctor who is employed by a public school and renders service of an instructional or educational nature.

((31)) (30) "Average final compensation" for persons who establish membership in the retirement system on or after October 1, 1977, means the member's average earnable compensation of the highest consecutive sixty months of service prior to such member's retirement, termination, or death. Periods constituting authorized leaves of absence may not be used in the calculation of average final compensation.

((32)) (31) "Retiree" for persons who establish membership in the retirement system on or after October 1, 1977, means any member in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by such member.

((33)) (32) "Department" means the department of retirement systems created in chapter 41.50 RCW.

((34)) (33) "Director" means the director of the department.

((35)) (34) "State elective position" means any position held by any person elected or appointed to state-wide office or elected or appointed as a member of the legislature.

((36)) (35) "State actuary" or "actuary" means the person appointed pursuant to RCW 44.44.010(2).

((37)) (36) "Retirement board" means the board of trustees provided for in RCW 41.32.040.

Sec. 7. Section 3, chapter 80, Laws of 1947 as last amended by section 1, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.030 are each amended to read as follows:

All of the assets of the retirement system shall be credited according to the purposes for which they are held, to ~~((one of two))~~ a fund~~((s))~~ to be maintained in the state treasury, namely, ~~((the teachers' retirement pension reserve fund and))~~ the teachers' retirement fund. In the records of the teachers' retirement system the teachers' retirement fund shall be subdivided into the annuity fund, the annuity reserve fund, the survivors' benefit fund, the pension reserve fund, the disability reserve fund, the death benefit fund, the income fund, the expense fund, and such other funds as may from time to time be created by the ~~((board of trustees))~~ director for the purpose of the internal accounting record.

Sec. 8. Section 38, chapter 80, Laws of 1947 and RCW 41.32.380 are each amended to read as follows:

There shall be placed in the pension reserve fund all appropriations made by the legislature for the purpose of paying pensions and survivors' benefits and of establishing and maintaining an actuarial reserve and all gifts and bequests to the pension reserve fund, and contributions of persons entering the retirement system who have established prior service credit. Members establishing prior service credit shall contribute to the pension reserve fund as follows:

For the first ten years of prior service fifteen dollars per year;

For the second ten years of prior service thirty dollars per year;

For the third ten years of prior service forty-five dollars per year.

Sec. 9. Section 11, chapter 14, Laws of 1963 ex. sess. as amended by section 15, chapter 87, Laws of 1980 and RCW 41.32.401 are each amended to read as follows:

For the purpose of establishing and maintaining an actuarial reserve adequate to meet present and future pension liabilities of the system and to pay for one-half of the operating expenses of the system, the ~~((board of trustees at each regular July meeting next preceding a regular session of the legislature during an odd-numbered year))~~ director shall compute the amount necessary to be appropriated during the

next legislative session for transfer from the state general fund to the teachers' retirement system during the next biennium. Such computation shall provide for amortization of unfunded pension liabilities over a period of not more than fifty years from July 1, 1964. The amount thus computed as necessary shall be reported to the governor by the (~~secretary-manager of the retirement system~~) director for inclusion in the budget. The legislature shall make the necessary appropriation from the state general fund to the teachers' retirement system after considering the estimates as prepared and submitted, and shall appropriate from the teachers' retirement fund the amount to be expended during the next biennium for operating expenses. The transfer of funds from the state general fund to the retirement system shall be at a rate determined by the (~~board of trustees~~) director on the basis of the latest valuation prepared by the state actuary (~~employed by the board~~), and shall include a percentage contribution of the total earnable compensation of the members for the biennium for which the appropriation is to be made, to be known as the "normal contribution," and an additional percentage contribution of such earnable compensation, to be known as the "unfunded liability contribution." Such transfers from the general fund shall be made before the end of each calendar quarter (~~at the rate determined by the board of trustees and shall be computed on the basis of the members' total earnable compensation received for the quarter. The members' total contributions to the teachers' retirement fund for each quarter shall serve as the basis for determining the members' total earnable compensation for the quarter~~), except for the 1981-83 biennium such transfers from the general fund shall be made as provided in an act making an appropriation for the retirement system or as directed by rules promulgated under RCW 43.41.110(13). When payments are made less often than quarterly, the legislature shall appropriate additional amounts equal to the interest that would have been earned under a quarterly payment basis. The amounts transferred shall be distributed (~~first~~) to the teachers' retirement fund for the payment of pensions, survivors' benefits and the state's share of the operating expenses for the system (~~and the balance shall be credited to the teachers' retirement pension reserve fund~~). The total amount of such transfers for a biennium shall not exceed the total amount appropriated by the legislature.

NEW SECTION. Sec. 10. All funds in the teachers' retirement pension reserve fund are transferred to the teachers' retirement fund.

Sec. 11. Section 12, chapter 150, Laws of 1969 ex. sess. as amended by section 8, chapter 189, Laws of 1973 1st ex. sess. and RCW 41.32.405 are each amended to read as follows:

An income fund is hereby created for the purpose of crediting regular interest and such other income as may be derived from the deposits and investments of the various funds of the teachers' retirement fund. All accumulated contributions in the account of a terminated (~~member which remain unclaimed after the expiration of ten years from the date of termination~~) employee except as provided for in RCW 41.32.500(1) through (3), 41.32.510, 41.32.810, and 41.32.815 shall (~~thereafter~~) be transferred to the income fund (~~as provided in RCW 41.32.510~~). If the former employee, the former employee's beneficiary, or the former employee's estate at a future date requests the unclaimed contributions or reinstatement of the rights previously provided thereunder, the former employee's contributions shall be transferred from the income fund to the annuity fund and the former employee's account reestablished with all the rights which would have been due the former employee, the former employee's beneficiary, or the former employee's estate as if in fact the transfer to the income fund had not occurred. Any moneys that may come into the possession of the retirement system in the form of gifts or bequests which are not allocated to a specific fund, or any other moneys the disposition of which is not otherwise provided herein, shall be credited to the income fund. The moneys accumulated in the income fund shall be available for transfer, upon (~~board~~) the director's authorization, to the department of retirement systems expense fund toward

payment of the members' share of the operating costs of the system as provided in RCW 41.32.410, and for regular interest allowance to the various funds of the teachers' retirement fund (~~as provided in RCW 41.32.190 and 41.32.460~~); however, no interest may be credited to the pension fund; PROVIDED, That from such accumulated moneys the ((board)) director shall have sole discretion to determine an amount thereof to be credited to the annuity fund which will thereupon be credited as regular interest to the individual members' accounts((~~PROVIDED FURTHER, That from interest and other earnings on the moneys in the annuity fund the board may specifically allocate up to one percent per annum of such interest and other earnings for the purpose of making sufficient funds available to facilitate the adjustment in the retirement allowance provided in RCW 41.32.499~~)) except that any accrued interest shall be credited at least annually to the individual members' accounts.

Sec. 12. Section 41, chapter 80, Laws of 1947 as last amended by section 13, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.410 are each amended to read as follows:

~~((At the beginning of each fiscal year the board of trustees))~~ The director shall transfer from the pension fund and the income fund to the department of retirement systems expense fund amounts sufficient to defray the expenses of the retirement system ((estimated by them for that year)): PROVIDED, That the amounts transferred to the expense fund shall result in the state and the members of the system sharing equally in the operating costs of the system. The ((board of trustees)) director shall have authority to assess a withdrawal fee and such other service charges as may be necessary to assist in providing for the members' contributions to the department of retirement systems expense fund. Any such withdrawal fee or other service charges shall be deducted from the member's annuity fund account during the year in which the assessment is made and all money received from such assessments shall be credited to the department of retirement systems expense fund toward payment of the members' share of the operating costs of the system.

Sec. 13. Section 46, chapter 80, Laws of 1947 and RCW 41.32.460 are each amended to read as follows:

The deductions from salaries of members of the retirement system for their contributions to the system are not considered diminution of pay and every member is conclusively presumed to consent thereto as a condition of ~~((his))~~ employment. All contributions to the annuity fund shall be credited to the individual for whose account the deductions from salary were made. ~~((Regular interest shall be credited to each member's account at the end only of each fiscal year, based upon the balance in his account at the beginning of the year.))~~ Regular interest shall be credited to each member's account at least annually.

Sec. 14. Section 7, chapter 35, Laws of 1970 ex. sess. as last amended by section 1, chapter 148, Laws of 1975 1st ex. sess. and RCW 41.32.4943 are each amended to read as follows:

The funds necessary for the payment of benefits under subsections (4), (5), (6) and (7) of RCW 41.32.4932, 41.32.493, 41.32.4931, 41.32.494, 41.32.561 and the funds required for the payment of benefits under RCW 41.32.480, 41.32.497, 41.32.498, ~~((and))~~ 41.32.550, and 41.32.567 shall be provided in accordance with RCW 41.32.401.

Sec. 15. Section 51, chapter 80, Laws of 1947 as last amended by section 17, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.510 are each amended to read as follows:

Should a member cease to be employed (~~(in the public schools of this state)~~) by an employer and request upon a form provided by the ~~((board of trustees))~~ department a refund of ~~((his))~~ the member's accumulated contributions with interest ~~((to the June 30th next preceding))~~, this amount shall be paid to ~~((him))~~ the individual less any withdrawal fee which may be assessed by the ~~((board of trustees))~~ director which shall be deposited ~~((to))~~ in the department of retirement systems expense fund. The amount withdrawn, together with interest as determined by the director must be paid if ~~((he))~~ the member desires to reestablish ~~((his))~~ the former service credits. ~~((Upon termination of membership, interest on accumulated contributions in the annuity fund shall cease and all accumulated contributions unclaimed after the expiration of ten years thereafter become an integral part of the income fund.))~~ Termination of employment with one employer for the specific purpose of accepting employment with another employer or termination with one employer and reemployment with the same employer, whether for the same school year or for the ensuing school year, shall not qualify a member for a refund of ~~((his))~~ the member's accumulated contributions. A member who files an application for a refund of ~~((his))~~ the member's accumulated contributions and subsequently enters into a contract for or resumes public school employment before a refund payment has been made shall not be eligible for such payment.

Sec. 16. Section 8, chapter 193, Laws of 1974 ex. sess. and RCW 41.32.567 are each amended to read as follows:

(1) Effective July 1, 1974, the pension portion of the retirement allowance being paid to all retirees who retired on or before June 30, 1970, shall be increased in an amount equal to 11.9 percent of that portion.

(2) Effective July 1, 1974, the pension portion of the retirement allowance being paid to all retirees who retired on or after July 1, 1970 through and including June 30, 1973, shall be increased in an amount equal to 2.9 percent of that portion.

(3) Solely for the purposes of RCW 41.32.499, the initial date of payment of the pension portion of the retirement allowance which is increased by this section shall be deemed to be July 1, 1973.

~~((4) The funds necessary for the payment of benefits provided by subsections (1) and (2) of this section shall constitute a separate biennial appropriation transfer by the legislature from the state general fund to the teachers' retirement fund.))~~

Sec. 17. Section 15, chapter 293, Laws of 1977 ex. sess. and RCW 41.32.820 are each amended to read as follows:

A member who ceases to be an employee of an employer except by service or disability retirement may request a refund of the members accumulated contributions. The refund shall be made within ninety days following the receipt of the request and notification of termination through the contribution reporting system by the employer; except that in the case of death, an initial payment shall be made within thirty days of receipt of request for such payment and notification of termination through the contribution reporting system by the employer. A member who files a request for refund and subsequently enters into employment with another employer prior to the refund being made shall not be eligible for a refund. The refund of accumulated contributions shall terminate all benefits under the provisions of RCW 41.32.755 through 41.32.825.

Sec. 18. Section 11, chapter 274, Laws of 1947 as last amended by section 4, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.100 are each amended to read as follows:

For the purpose of the internal accounting record of the retirement ~~((board))~~ system and not the segregation of moneys on deposit with the state treasurer there are hereby created the employees' savings fund, the benefit account fund, the income fund and such other funds as may from time to time be required.

(1) The employees' savings fund shall be the fund in which shall be accumulated the contributions from the compensation of members. The ~~((retirement board))~~ director shall provide for the maintenance of an individual account ~~((with))~~ for each member of the retirement system showing the amount of the member's contributions together with interest accumulations thereon. The contributions of a member returned to ((him)) the former employee upon ((his)) the individual's withdrawal from service, or paid in event of ((his)) the employee's or former employee's death, as provided in this chapter, shall be paid from the employees' savings fund. ((Any accumulated contributions forfeited by failure of a member, or his estate, to claim the same as provided for in this chapter shall be transferred from the employees' savings fund to the income fund:)). The accumulated contributions of a member, upon the commencement of ~~((his))~~ the individual's retirement, shall be transferred from the employees' savings fund to the benefit account fund.

(2) The benefit account fund shall be the fund in which shall be accumulated the reserves for the payment of all retirement allowances and death benefits, if any, in respect of any beneficiary. The amounts contributed by ~~((the))~~ all employers to provide pension benefits shall be credited to the benefit account fund. The benefit account fund shall be the fund from which shall be paid all retirement allowances, or benefits in lieu thereof because of which reserves have been transferred from the employees' savings fund to the benefit account fund. At the time a recipient of a retirement allowance again becomes a member there shall be transferred from the benefit account fund to the employees' savings fund and credited to the individual account of such a member a sum that shall be equal to the excess, if any, of ~~((his))~~ the individual's account at the date of ((his)) the member's retirement over any service retirement allowance received since that date.

(3) An income fund is hereby created for the purpose of crediting interest on the amounts in the various other funds with the exception of the department of retirement systems expense fund, and to provide a contingent fund out of which special requirements of any of the other funds may be covered. ~~((Transfers for such special requirements shall be made only when the amount in the income fund exceeds the ordinary requirements of such fund as evidenced by a resolution of the retirement board recorded in its minutes. The retirement board shall quarterly allow interest to each of the funds enumerated in subdivisions (1) and (2) of this section, and the amount so allowed shall be due and payable to said funds and shall be quarterly credited on the previous quarterly balance by the retirement board and paid from the income fund:))~~ The director shall determine when a distribution of interest and other earnings of the retirement system shall take place. The amounts to be credited and the methods for distribution to each of the funds enumerated in subsections (1) and (2) of this section and for special requirements previously mentioned in this subsection shall be at the director's discretion.

All accumulated contributions standing to the account of a terminated member ~~((and unclaimed after the expiration of fifteen years from the date of such termination))~~ except as provided in RCW 41.40.150(3) and (5), 41.40.170, 41.40.710, and 41.40.720 shall ~~((thereafter become an integral part of the income fund))~~ be transferred from the employees' savings fund to the income fund. If the former employee, the former employee's beneficiary, or the former employee's estate at a future date requests the unclaimed contributions or reinstatement of the rights previously provided thereunder, the former employee's contributions shall be transferred from the income fund to the savings fund and the former employee's account reestablished with all the rights which would have been due the former employee, the former employee's beneficiary, or the former employee's estate as if in fact the transfer to the income fund had not occurred. All income, interest, and dividends derived from the deposits and investments authorized by this chapter shall be paid into the income fund with the exception of interest derived from sums deposited in the department of

retirement systems expense fund. The (~~retirement board~~) director on behalf of the retirement system is hereby authorized to accept gifts and bequests. Any funds that may come into the possession of the retirement system in such manner, or any funds which may be transferred from the employees' savings fund by reason of lack of claimant, or because of a surplus in any fund created by this chapter, or any other moneys the disposition of which is not otherwise provided for (~~herein~~), shall be credited to the income fund.

~~((The board shall have sole discretion to determine the amount of interest to be credited to the employees' savings fund which will thereupon be credited as regular interest to the individual members' accounts. The board may specifically allocate not more than one percent per annum of the investment earnings for the purpose of making sufficient funds available to facilitate the adjustment in service retirement allowances provided by RCW 41.40.195 as now or hereafter amended.))~~

Sec. 19. Section 13, chapter 274, Laws of 1947 as last amended by section 6, chapter 33, Laws of 1975 and RCW 41.40.120 are each amended to read as follows:

Membership in the retirement system shall consist of all regularly compensated employees and appointive and elective officials of employers, as defined in this chapter (~~who have served at least six months without interruption or who are employed, appointed or elected on or after July 1, 1965~~), with the following exceptions:

- (1) Persons in ineligible positions;
- (2) Employees of the legislature except the officers thereof elected by the members of the senate and the house and legislative committees, unless membership of such employees be authorized by the said committee;
- (3) Persons holding elective offices or persons appointed directly by the governor: PROVIDED, That such persons shall have the option of applying for membership and to be accepted by the action of the (~~retirement board~~) director, such application for those taking elective office for the first time after May 21, 1971, shall be submitted within eight years of the beginning of their initial term of office: AND PROVIDED FURTHER, That any such persons previously denied service credit because of any prior laws excluding membership which have subsequently been repealed, shall nevertheless be allowed to recover or regain such service credit denied or lost because of the previous lack of authority: AND PROVIDED FURTHER, That any persons holding elective offices or persons appointed by the governor who are members in the retirement system and who have, prior to becoming such members, previously held an elective office, and did not at the start of such initial or successive terms of office exercise their option to become members, may apply for membership and be accepted by action of the (~~retirement board~~) director, to be effective during such term or terms of office, and shall be allowed to recover or regain the service credit applicable to such term or terms of office upon payment of the employee contributions therefor by the employee and employer contributions therefor by the employer or employee: AND PROVIDED FURTHER, That any person who was an elected official eligible to apply for membership pursuant to this subsection, who failed to exercise that option while holding such elected office and who is now a member of the retirement system, shall have the option to recover service credit for such elected service upon payment to the retirement system of the employee and employer contributions which would have been made had the person been a member during the period of such elective service;

- (4) Employees holding membership in, or receiving pension benefits under, any retirement plan operated wholly or in part by an agency of the state or political subdivision thereof, or who are by reason of their current employment contributing to or otherwise establishing the right to receive benefits from any such retirement plan: PROVIDED, HOWEVER, In any case where the (~~state employees'~~) retirement system has in existence an agreement with another retirement system in connection with exchange of service credit or an agreement whereby members can

retain service credit in more than one system, such an employee shall be allowed membership rights should the agreement so provide: AND PROVIDED FURTHER, That an employee shall be allowed membership if otherwise eligible while receiving survivor's benefits (~~(as secondary payee under the optional retirement allowances as provided by RCW 41.40.190 or 41.40.185);~~);

(5) Patient and inmate help in state charitable, penal, and correctional institutions;

(6) "Members" of a state veterans' home or state soldiers' home;

(7) Persons employed by an institution of higher learning or community college, primarily as an incident to and in furtherance of their education or training, or the education or training of a spouse;

(8) Employees of an institution of higher learning or community college during the period of service necessary to establish eligibility for membership in the retirement plans operated by such institutions;

(9) Persons rendering professional services to an employer on a fee, retainer, or contract basis or (~~(as an incident to the private)~~) when the income from these services is less than fifty percent of the gross income received from the person's practice of a profession;

(10) Persons appointed after April 1, 1963, by the liquor control board as agency vendors((-));

(11) Employees of a labor guild, association, or organization: PROVIDED, That elective officials and employees of a labor guild, association, or organization which qualifies as an employer within this chapter shall have the option of applying for membership (~~(and to be accepted by the action of the retirement board-);~~);

(12) Persons hired in eligible positions on a temporary basis for a period not to exceed six months: PROVIDED, That if such employees are employed for more than six months in an eligible position they shall become members of the system((-);

(13) Persons employed by or appointed or elected as an official of a first class city that has its own retirement system: PROVIDED, That any member elected or appointed to an elective office on or after April 1, 1971, shall have the option of continuing (~~(his membership in)~~) as a member of this system in lieu of becoming a member of the city system. A member who (~~(so)~~) elects to (~~(maintain his membership)~~) continue as a member of this system shall (~~(make his)~~) pay the appropriate member contributions and the city shall pay the employer contributions at the rates prescribed by this chapter. The city shall also transfer to this system all of such member's accumulated contributions together with such further amounts as necessary to equal all employee and employer contributions which would have been paid into this system on account of such service with the city and thereupon the member shall be granted credit for all such service. Any city that becomes an employer as defined in RCW 41.40.010(4) as the result of an individual's election under the first proviso of this subsection shall not be required to have all employees covered for retirement under the provisions of this chapter. Nothing in this subsection shall prohibit a city of the first class with its own retirement system from transferring all of its current employees to the retirement system established under this chapter. Notwithstanding any other provision of this chapter, persons transferring from employment with a first class city of over four hundred thousand population that has its own retirement system to employment with the state department of agriculture may elect to remain within the retirement system of such city and the state shall pay the employer contributions for such persons at like rates as prescribed for employers of other members of such system;

(14) Employees who (a) are not citizens of the United States, (b) do not reside in the United States, and (c) perform duties outside of the United States;

(15) Employees who (a) are not citizens of the United States, (b) are not covered by chapter 41.48 RCW, (c) are not excluded from membership under this chapter or chapter 41.04 RCW, (d) are residents of this state, and (e) make an irrevocable election to be excluded from membership, in writing, which is submitted to the director within thirty days after employment in an eligible position;

(16) Employees who are citizens of the United States and who reside and perform duties for an employer outside of the United States: PROVIDED, That unless otherwise excluded under this chapter or chapter 41.04 RCW, the employee may apply for membership (a) within thirty days after employment in an eligible position and membership service credit shall be granted from the first day of membership service, and (b) after this thirty-day period, but membership service credit shall be granted only from the date of application.

Sec. 20. Section 16, chapter 274, Laws of 1947 as last amended by section 10, chapter 249, Laws of 1979 ex. sess. and RCW 41.40.150 are each amended to read as follows:

Should any member die, or should the individual separate or be separated from service without leave of absence before attaining age sixty years, or should the individual become a beneficiary, except a beneficiary of an optional retirement allowance as provided by RCW 41.40.185 or 41.40.190, the individual shall thereupon cease to be a member except;

(1) As provided in RCW 41.40.170.

(2) An employee not previously retired who reenters service shall upon completion of six months of continuous service and upon the restoration of all withdrawn contributions with interest as computed by the director, which restoration must be completed within a total period of five years of membership service following ~~((his))~~ the member's first resumption of employment, be returned to the status, either as an original member or new member which ~~((he))~~ the member held at time of separation ~~((: PROVIDED, That any member who reentered service outside the ten-year period formerly provided by this subsection, and by reason of the former language of this section was not allowed to restore withdrawn contributions, shall have two years from April 25, 1973 to restore said contributions. AND PROVIDED FURTHER, That any member who reentered service within the ten-year period formerly provided by this section, and who failed to restore withdrawn contributions within the three or five years previously allowed, shall now have two years from April 25, 1973 to restore said contributions, with interest as determined by the director))~~.

(3) A member who separates or has separated after having completed at least five years of service shall remain a member during the period of ~~((his))~~ absence from service for the exclusive purpose ~~((only))~~ of receiving a retirement allowance to begin at attainment of age sixty-five, however, such a member may ~~((upon thirty days))~~ on written notice to the director elect to receive a reduced retirement allowance on or after age sixty which allowance shall be the actuarial equivalent of the sum necessary to pay regular retirement benefits as of age sixty-five: PROVIDED, That if such member should withdraw all or part of ~~((his))~~ the member's accumulated contributions except those additional contributions made pursuant to RCW 41.40.330(2), ~~((he))~~ the individual shall thereupon cease to be a member and this section shall not apply.

(4) (a) The recipient of a retirement allowance who ~~((has not yet reached the compulsory retirement age of seventy and who shall be))~~ is employed in an eligible position other than under RCW 41.40.120(12) shall be considered to have terminated his or her retirement status and ~~((he))~~ shall immediately become a member of the retirement system with the status of membership ~~((he had))~~ the member held as of the date of ~~((his))~~ retirement. Retirement benefits shall be suspended during the period of ~~((his))~~ eligible employment and ~~((he))~~ the individual shall make contributions and receive membership credit. Such a member shall have the right to again

retire if eligible in accordance with RCW 41.40.180: PROVIDED, That where any such right to retire is exercised to become effective before the member has rendered two uninterrupted years of service the type of retirement allowance ~~((he))~~ the member had at the time of ~~((his))~~ the member's previous retirement shall be reinstated, but no additional service credit shall be ~~((available))~~ allowed;

(b) The recipient of a retirement allowance ~~((who has not yet reached the compulsory retirement age of seventy, following his election))~~ elected to office or ((appointment)) appointed to office directly by the governor, and who shall apply for and be accepted in membership as provided in RCW 41.40.120(3) shall be considered to have terminated his or her retirement status and ((he)) shall become a member of the retirement system with the status of membership ~~((he had))~~ the member held as of the date of ~~((his))~~ retirement. Retirement benefits shall be suspended from the date of ~~((his))~~ return to membership until the date when ((he)) the member again retires and ((he)) the member shall make contributions and receive membership credit. Such a member shall have the right to again retire if eligible in accordance with RCW 41.40.180: PROVIDED, That where any such right to retire is exercised to become effective before the member has rendered six uninterrupted months of service the type of retirement allowance ~~((he))~~ the member had at the time of ~~((his))~~ the member's previous retirement shall be reinstated, but no additional service credit shall be ~~((available))~~ allowed: AND PROVIDED FURTHER, That if such a recipient of a retirement allowance does not elect to apply for reentry into membership as provided in RCW 41.40.120(3), ~~((or should he have reached the age of seventy and be ineligible to apply as provided in RCW 41.40.125, he))~~ the member shall be considered to remain in a retirement status and ((his)) the individual's retirement benefits shall continue without interruption.

(5) ~~((Subject to the provisions of RCW 41.04.070, 41.04.080 and 41.04.100;))~~ Any member who leaves the employment of an employer and enters the employ of a public agency or agencies of the state of Washington, other than those within the jurisdiction of the ~~((state))~~ Washington public employees' retirement system, and who establishes membership in a retirement system or a pension fund operated by such agency or agencies and who shall continue ~~((his))~~ membership therein until attaining age sixty, shall remain a member for the exclusive purpose ((only)) of receiving a retirement allowance without the limitation found in RCW 41.40.180(1) to begin on attainment of age sixty-five, however, such a member may ((upon thirty days)) on written notice to the director elect to receive a reduced retirement allowance on or after age sixty which allowance shall be the actuarial equivalent of the sum necessary to pay regular retirement benefits commencing at age sixty-five: PROVIDED, That if such member should withdraw all or part of ~~((his))~~ the member's accumulated contributions except those additional contributions made pursuant to RCW 41.40.330(2), ((he)) the individual shall thereupon cease to be a member and this section shall not apply.

Sec. 21. Section 19, chapter 274, Laws of 1947 as last amended by section 7, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.180 are each amended to read as follows:

(1) ~~((On and after April 1, 1949;))~~ Any member with five years of creditable service who has attained age sixty and any original member who has attained age sixty may retire ~~((upon his))~~ on written application to the ((retirement board)) director, setting forth at what time ((, not less than thirty days, nor more than ninety days subsequent to the execution and filing thereof, he)) the member desires to be retired: PROVIDED, That in the national interest, during time of war engaged in by the United States, the ((retirement board)) director may extend beyond age sixty, subject to the provisions of subsection (2) of this section, the age at which any member may be eligible to retire.

~~(2) ((On and after April 1, 1949, any member who has attained age seventy shall be retired forthwith on the first day of the calendar month next succeeding that in which the said member shall have attained the age of seventy. PROVIDED, That a member who has attained the age of seventy is possessed of special skill in the performance of particular duties, the retirement board shall continue such member in service for such period or periods as may be applied for by the governing body of the political subdivision where the member is employed or the head of the department, agency, commission, board and offices of the state: PROVIDED FURTHER, That any member holding elective office, having a fixed term to which he has been elected, who has attained age seventy may continue to serve as an elective official and to receive retirement credit for such service.~~

~~(3) On and after April 1, 1953,) Any member who has completed thirty years of service may retire on ((his)) written application to the ((retirement board)) director setting forth at what time((; not less than thirty days, nor more than ninety days subsequent to the execution and filing thereof, he)) the member desires to be retired, subject to war measures.~~

~~((4) On and after May 21, 1971)) (3) Any member who has completed twenty-five years of service and attained age fifty-five may retire on ((his)) written application to the ((retirement board)) director setting forth at ((which)) what time((; not less than thirty days, nor more than ninety days subsequent to the execution and filing thereof, he)) the member desires to be retired, subject to war measures.~~

~~((5)) (4) Any individual who is eligible to retire pursuant to subsections (1) through ((4)) (3) of this section shall be allowed to retire while on any authorized leave of absence not in excess of one hundred and twenty days.~~

~~((6) The retirement board is authorized to waive advance notice of retirement upon good cause shown:))~~

Sec. 22. Section 38, chapter 274, Laws of 1947 as last amended by section 63, chapter 151, Laws of 1979 and RCW 41.40.370 are each amended to read as follows:

(1) The ~~((department))~~ director shall ascertain and report to each employer the ~~((amount it shall provide for pension benefits))~~ contribution rates necessary to meet present and future pension liabilities of the system for the ensuing biennium or fiscal year, whichever is applicable ((to the said employer's operations)). The amount to be so provided shall be computed by applying the rates of contribution as established by RCW 41.40.361 or 41.40.650 to an estimate of the total compensation earnable of all the said employer's members during the period for which provision is to be made.

(2) Beginning April 1, 1949, or October 1, 1977, as the case may be, the amount to be collected as the employer's contribution ~~((for pension benefits))~~ shall be computed by applying the applicable rates established by RCW 41.40.361 or 41.40.650 to the total compensation earnable of employer's members as shown on the current payrolls of the said employer. ~~((The department shall bill))~~ Each said employer shall compute at the end of each month ((for)) the amount due for that month and the same shall be paid as are its other obligations((; PROVIDED, That the department may, at its discretion, establish a system of billing based upon calendar year quarters in which event the said billing shall be at the end of each such quarter and shall be based upon the employer's payrolls for that quarter)).

(3) In the event of failure, for any reason, of an employer other than a political subdivision of the state to have remitted amounts due for membership service of any of the employer's members rendered during a prior biennium, the ~~((department))~~ director shall bill such employer through the director of financial management for such employer's contribution together with such charges as the director deems appropriate in accordance with RCW 41.50.120. Such billing shall be paid by the

employer as, and the same shall be, a proper charge against any moneys available or appropriated to such employer for payment of current biennial payrolls. (~~If any such employer shall fail or refuse to honor such a billing, the director of financial management shall cause the same to be paid from any funds appropriated to the director of financial management for such purposes.~~)

Sec. 23. Section 14, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.730 are each amended to read as follows:

A member who ceases to be an employee of an employer except by service or disability retirement may request a refund of the member's accumulated contributions. The refund shall be made within ninety days following the receipt of the request and notification of termination through the contribution reporting system by the employer; except that in the case of death, an initial payment shall be made within thirty days of receipt of request for such payment and notification of termination through the contribution reporting system by the employer. A member who files a request for refund and subsequently enters into employment with another employer prior to the refund being made shall not be eligible for a refund. The refund of accumulated contributions shall terminate all rights to benefits under RCW 41.40.610 through 41.40.740.

Sec. 24. Section 43.43.120, chapter 8, Laws of 1965 as last amended by section 1, chapter 77, Laws of 1980 and RCW 43.43.120 are each amended to read as follows:

As used in the following sections, unless a different meaning is plainly required by the context:

(1) "Retirement system" means the Washington state patrol retirement system.
 (2) "Retirement fund" means the Washington state patrol retirement fund.
 (3) "State treasurer" means the treasurer of the state of Washington.
 (4) "Member" means any person included in the membership of the retirement fund.

(5) "Employee" means any commissioned employee of the Washington state patrol.

(6) "Cadet" is a person who has passed the Washington state patrol's entry-level oral, written, physical performance, and background examinations and is, thereby, appointed by the chief as a candidate to be a commissioned officer of the Washington state patrol.

(7) "Beneficiary" means any person in receipt of retirement allowance or any other benefit allowed by this chapter.

(8) "Regular interest" means interest compounded annually at such rates as may be determined by the ~~((retirement board))~~ director.

(9) "Retirement board" means the board provided for in this chapter.

(10) "Insurance commissioner" means the insurance commissioner of the state of Washington.

(11) "Lieutenant governor" means the lieutenant governor of the state of Washington.

(12) "Service" shall mean services rendered to the state of Washington or any political subdivisions thereof for which compensation has been paid. Full time employment for ~~((ten days))~~ seventy or more hours in any given calendar month shall constitute one month of service. An employee who is reinstated in accordance with RCW 43.43.110 shall suffer no loss of service for the period reinstated subject to the contribution requirements of this chapter. Only months of service shall be counted in the computation of any retirement allowance or other benefit provided for herein. Years of service shall be determined by dividing the total number of months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefit.

(13) "Prior service" shall mean all services rendered by a member to the state of Washington, or any of its political subdivisions prior to August 1, 1947, unless such service has been credited in another public retirement or pension system operating in the state of Washington.

(14) "Current service" shall mean all service as a member rendered on or after August 1, 1947.

(15) "Average final salary" shall mean the average monthly salary received by a member during ~~((his))~~ the member's last two years of service or any consecutive two-year period of service, whichever is the greater, as an employee of the Washington state patrol; or if ~~((he))~~ the member has less than two years of service, then the average monthly salary received by ~~((him))~~ the member during ~~((his))~~ the member's total years of service.

(16) "Actuarial equivalent" shall mean a benefit of equal value when computed upon the basis of such mortality table as may be adopted and such interest rate as may be determined by the ~~((board))~~ director.

(17) Unless the context expressly indicates otherwise, words importing the masculine gender shall be extended to include the feminine gender and words importing the feminine gender shall be extended to include the masculine gender.

(18) "Director" means the director of the department of retirement systems.

(19) "Department" means the department of retirement systems created in chapter 41.50 RCW.

(20) "State actuary" or "actuary" means the person appointed pursuant to RCW 44.44.010(2).

(21) "Contributions" means the deduction from the compensation of each member in accordance with the contribution rates established under RCW 43.43.300.

Sec. 25. Section 43.43.230, chapter 8, Laws of 1965 and RCW 43.43.230 are each amended to read as follows:

Subject to the provisions of RCW 43.43.260, at retirement, the total service credited to a member shall consist of all ~~((his))~~ the member's current service and ~~((certified))~~ accredited prior service.

Sec. 26. Section 43.43.250, chapter 8, Laws of 1965 as last amended by section 1, chapter 116, Laws of 1975-'76 2nd ex. sess. and RCW 43.43.250 are each amended to read as follows:

(1) Any member who has attained the age of sixty years shall be retired on the first day of the calendar month next succeeding that in which said member shall have attained the age of sixty: PROVIDED, That the requirement to retire at age sixty shall not apply to a member serving as chief of the Washington state patrol.

(2) Any member who has completed twenty-five years of credited service or has attained the age of fifty-five may apply to retire as provided in RCW 43.43.260, ((on his retirement)) by completing and submitting an application form to the ((retirement board)) department, setting forth at what time((, not less than thirty days subsequent to the execution and filing thereof, he)) the member desires to be retired.

~~((3)) Any member who has ceased making contributions to the retirement fund because of having reached the maximum percentage of average final salary provided by a previous act may repay to the retirement fund those contributions which he would normally have made, if such restriction on service credit had not existed, by making these payments prior to retirement. The payment of these contributions will entitle the member to service credit as provided in RCW 43.43.260(2).))~~

Sec. 27. Section 43.43.260, chapter 8, Laws of 1965 as last amended by section 3, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.260 are each amended to read as follows:

Upon retirement from service as provided in RCW 43.43.250, a member shall be granted a retirement allowance which shall consist of:

(1) A prior service ~~((annuity))~~ allowance which shall be equal to two percent of the member's average final salary multiplied by the number of years of prior service rendered by the member.

(2) A current service ~~((annuity))~~ allowance which shall be equal to two percent of the member's average final salary multiplied by the number of years of service rendered while a member of the retirement system.

(3) Any member with twenty-five years service in the Washington state patrol may have ~~((his))~~ the member's service in the armed forces credited ~~((to him))~~ as a member whether or not ~~((he))~~ the individual left the employ of the Washington state patrol to enter such armed forces: PROVIDED, That in no instance shall military service in excess of five years be credited: AND PROVIDED FURTHER, That in each instance, a member must restore all withdrawn accumulated contributions, which restoration must be completed on the date of ~~((his))~~ the member's retirement, or within five years of membership service following ~~((his))~~ the member's first resumption of employment, whichever occurs first: AND PROVIDED FURTHER, That this section shall not apply to any individual, not a veteran within the meaning of RCW 41.06.150, as now or hereafter amended: AND PROVIDED FURTHER, That in no instance shall military service be credited to any member who is receiving full military retirement benefits pursuant to Title 10 United States Code, as now or hereafter amended.

(4) In no event shall the total retirement benefits from subsections (1), (2), and (3) of this section, of any member exceed seventy-five percent of the member's average final salary.

(5) A yearly increase in retirement allowance which shall amount to two percent of the retirement allowance computed at the time of retirement. This yearly increase shall be added to the retirement allowance on July 1st of each calendar year.

The provisions of this section shall apply to all members presently retired and to all members who shall retire in the future. ~~((The retirement allowance of all members presently retired shall be recomputed and shall in the future be paid in accordance with the benefits provided in this section:))~~

Sec. 28. Section 4, chapter 180, Laws of 1973 1st ex. sess. as amended by section 3, chapter 14, Laws of 1973 2nd ex. sess. and RCW 43.43.270 are each amended to read as follows:

(1) The normal form of retirement allowance shall be an ~~((annuity))~~ allowance which shall continue as long as the member lives.

(2) If a member should die while in service ~~((his))~~ the member's lawful spouse shall be paid an ~~((annuity))~~ allowance which shall be equal to fifty percent of the average final salary of the member. If the member should die after retirement ~~((his))~~ the member's lawful spouse shall be paid an ~~((annuity))~~ allowance which shall be equal to the retirement allowance then payable to the member or fifty percent of the final average salary used in computing ~~((his))~~ the member's retirement allowance, whichever is less. The ~~((annuity))~~ allowance paid to the lawful spouse shall continue as long as ~~((she))~~ the spouse lives or until ~~((she))~~ the spouse remarries. To be eligible for an ~~((annuity))~~ allowance the lawful surviving spouse of a retired member shall have been married to the member prior to ~~((his))~~ the member's retirement and continuously thereafter until the date of ~~((his))~~ the member's death or shall have been married to the retired member at least two years prior to ~~((his))~~ the member's death.

(3) If a member should die, either while in service or after retirement, ~~((his))~~ the member's surviving children under the age of eighteen years shall be provided for in the following manner:

~~((a))~~ Each unmarried child under eighteen years of age shall be entitled to a benefit equal to five percent of the final average salary of the member or retired member. The combined benefits to the surviving spouse and all children shall not exceed sixty percent of the final average salary of the member or retired member.

(4) If a member should ~~(lose or has lost his life)~~ die in the line of duty while employed by the Washington state patrol, ~~((his))~~ the member's surviving children under the age of twenty years and eleven months if attending any high school, college, university, or vocational or other educational institution accredited or approved by the state of Washington shall hereafter be entitled to a benefit equal to five percent of the final average salary of the member. The combined benefits to the surviving spouse and all children shall not exceed sixty percent of the final average salary of the member: PROVIDED, That if a beneficiary under this section shall reach the age of twenty-one years during the middle of a term of enrollment the benefit shall continue until the end of said term.

(5) The provisions of this section shall apply to members who have been retired on disability as provided in RCW 43.43.040 if the officer was a member of the Washington state patrol retirement system at the time of such disability retirement and if all contributions paid to the retirement fund have been left in the retirement fund. In the event that contributions have been refunded to a member on disability retirement, he may regain eligibility for survivor's benefits by repaying to the retirement fund the total amount refunded to him plus two and one-half percent interest, compounded annually, covering the period during which the refund was held by him.

Sec. 29. Section 43.43.280, chapter 8, Laws of 1965 as last amended by section 5, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.280 are each amended to read as follows:

(1) If a member dies before retirement, and has no surviving spouse or children under the age of eighteen years, all contributions made by ~~((him))~~ the member with interest at two and one-half percent compounded annually shall be paid to such person or persons as ~~((he))~~ the member shall have nominated by written designation duly executed and filed with the ~~((retirement board))~~ department, or if there be no such designated person or persons, then to ~~((his))~~ the member's legal representative.

(2) If a member should cease to be an employee before attaining age sixty for reasons other than ~~((his))~~ the member's death, or retirement, ~~((he))~~ the individual shall thereupon cease to be a member except as provided under RCW 43.43.130 (2) and (3) and, ~~((he))~~ the individual may withdraw ~~((his))~~ the member's contributions to the retirement fund, with interest at two and one-half percent compounded annually, by making application therefor to the ~~((retirement board))~~ department, except that: A member who ceases to be an employee after having completed at least five years of service shall remain a member during the period of ~~((his))~~ the member's absence from employment for the exclusive purpose only of receiving a retirement allowance to begin at attainment of age sixty, however such a member may upon ~~((thirty days))~~ written notice to the ~~((board))~~ department elect to receive a reduced retirement allowance on or after age fifty-five which allowance shall be the actuarial equivalent of the sum necessary to pay regular retirement benefits as of age sixty: PROVIDED, That if such member should withdraw all or part of ~~((his))~~ the member's accumulated contributions, ~~((he))~~ the individual shall thereupon cease to be a member and this subsection shall not apply.

Sec. 30. Section 43.43.290, chapter 8, Laws of 1965 and RCW 43.43.290 are each amended to read as follows:

~~((Should a member become permanently and totally disabled, as a direct and proximate result of injury received in the course of employment he shall receive))~~ A person receiving benefits under RCW 43.43.040 ((and during such period)) will be a nonactive member. ~~((If any nonactive member returns to active duty with the Washington state patrol, he shall be eligible to become an active member by paying~~

into the retirement fund all contributions accumulated during the period of his disability)) If any person who is or has been receiving benefits under RCW 43.43.040 returns or has returned to active duty with the Washington state patrol, the person shall become an active member of the retirement system on the first day of reemployment. The person may acquire service credit for the period of disablement by paying into the retirement fund all contributions required based on the compensation which would have been received had the person not been disabled. To acquire service credit, the person shall complete the required payment within five years of return to active service or prior to retirement, whichever occurs first. Persons who return to active service prior to the effective date of this amendatory section shall complete the required payment within five years of the effective date of this amendatory section or prior to retirement, whichever occurs first. No service credit for the disability period may be allowed unless full payment is made. Interest shall be charged at the rate set by the director of retirement systems from the date of return to active duty or from the effective date of this amendatory section, whichever is later, until the date of payment. The Washington state patrol shall pay into the retirement system the amount which it would have contributed had the person not been disabled. The payment shall become due and payable, in total, when the person makes the first payment. If the person fails to complete the full payment required within the time period specified, any payments made to the retirement fund under this section shall be refunded with interest and any payment by the Washington state patrol to the retirement fund for this purpose shall be refunded.

Sec. 31. Section 43.43.310, chapter 8, Laws of 1965 as last amended by section 8, chapter 205, Laws of 1979 ex. sess. and RCW 43.43.310 are each amended to read as follows:

(1) The right of any person to a retirement allowance or optional retirement allowance under the provisions hereof and all moneys and investments and income thereof are exempt from any state, county, municipal, or other local tax and shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or the insolvency laws, or other processes of law whatsoever and shall be unassignable except as herein specifically provided.

(2) Benefits under this chapter shall be payable to a spouse or ex-spouse to the extent expressly provided for in any court decree of dissolution or legal separation or in any court order or court-approved property settlement agreement incident to any court decree of dissolution or legal separation.

(3) Subsection (1) of this section shall not be deemed to prohibit a beneficiary of a retirement allowance from authorizing deductions therefrom for payment of premiums due on any group insurance policy or plan issued for the benefit of a group comprised of members of the Washington state patrol or other public employees of the state of Washington.

~~((4) Deductions made in the past from retirement benefits are hereby expressly recognized, ratified and affirmed. Future deductions may only be made in accordance with this section:))~~

NEW SECTION. Sec. 32. There is added to chapter 2.12 RCW a new section to read as follows:

(1) The right of any person to a retirement allowance or optional retirement allowance under the provisions of this chapter and all moneys and investments and income thereof are exempt from any state, county, municipal, or other local tax and shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or the insolvency laws, or other processes of law whatsoever and shall be unassignable except as herein specifically provided.

(2) Benefits under this chapter shall be payable to a spouse or ex-spouse to the extent expressly provided for in any court decree of dissolution or legal separation or

in any court order or court-approved property settlement agreement incident to any court decree of dissolution or legal separation.

(3) Subsection (1) of this section shall not be deemed to prohibit a beneficiary of a retirement allowance from authorizing deductions therefrom for payment of premiums due on any group insurance policy or plan issued for the benefit of a group comprised of public employees of the state of Washington.

(4) Deductions made in the past from retirement benefits are hereby expressly recognized, ratified, and affirmed. Future deductions may only be made in accordance with this section.

NEW SECTION. Sec. 33. There is added to chapter 41.50 RCW a new section to read as follows:

(1) Every employer participating in one or more of the retirement systems listed in RCW 41.50.030 shall fully cooperate in the administration of the systems in which its employees participate, including the distribution of information to employees, and shall accept and carry out all other duties as required by law, regulation, or administrative instruction.

(2) If an employee is entitled to retroactive service credit which was not previously established through no fault of the employee, or through an employer error which has caused a member's compensation or contributions to be understated or overstated so as to cause a loss to the retirement funds, the director may bill the employer for the loss, to include interest, if applicable. The employer contributions, with interest thereon, will be treated as if in fact the interest was part of the normal employer contribution and no distribution of interest received shall be required.

(3) Employer-paid employee contributions will not be credited to a member's account until the employer notifies the director in writing that the employer has been reimbursed by the employee or beneficiary for the payment. The employer shall have the right to collect from the employee the amount of the employee's obligation. Failure on the part of the employer to collect all or any part of the sums which may be due from the employee or beneficiary shall in no way cause the employer obligation for the total liability to be lessened.

NEW SECTION. Sec. 34. There is added to chapter 41.40 RCW a new section to read as follows:

The department of retirement systems shall make a review of each member employed by an employer being retired on and after July 1, 1982, and whose benefits are determined by RCW 41.40.185. The purpose of the review is to identify any retiree whose average compensation earnable for purposes of determining retirement benefits exceeds the average annual compensation during the two-year period immediately preceding the years used in computing retirement benefits by more than the percentage increase determined in subsection (1) of this section.

(1) For the retiree's average final compensation period, the basis for making the comparison required by this section shall be a percentage increase equal to one percentage point in excess of each of the average percentage general salary increases granted during such average final compensation period to all employees of that employer who are members of the retirement system under this chapter, adjusted for incremental increases for seniority and/or performance, and staff position changes.

(2) For all retirees identified in this section, the department shall calculate the increase in the basic retirement benefit which results from any increase in salary granted an employee in excess of the authorized salary increase. The department will then, utilizing tables developed by the state actuary, determine the extra pension cost attributable to exceeding such average and shall bill the retiree's employer, who shall remit the entire amount determined to the retirement system within thirty days, except that the director is empowered to omit billing for an amount less than fifty dollars.

(3) Any post-retirement increases resulting from the excess benefit identified in subsection (2) of this section shall be billed to the last employer as they occur on the basis set forth in subsection (2) of this section.

NEW SECTION. Sec. 35. There is hereby created a select committee which shall review the law enforcement officers' and fire fighters' (LEOFF) retirement system. The committee shall be made up of the following individuals: Four members of the Washington senate, two from each caucus, chosen by the president of the senate; four members of the house of representatives, two from each caucus, chosen by the speaker of the house; three members chosen by the governor, at least one of whom shall be a member of the LEOFF II system. Each member of the committee shall have an equal vote.

The legislature shall provide such staffing, technical assistance and support services as may be required to carry out committee business. All state, local and private agencies shall cooperate fully in the committee's work.

The committee's purposes shall include, but not be limited to, a review of the following issues regarding LEOFF: (1) The adequacy of retirement benefits; (2) the actuarial soundness of the system; (3) the method of financing the system; (4) the membership eligibility requirements; (5) review of the administrative procedures within the system; and (6) review of the adequacy of labor and industries benefits for law enforcement officers and fire fighters and other high-risk professions.

The committee shall prepare a report, including any recommendations, for the January, 1983 session of the legislature. The committee shall cease to exist upon presentation of its report.

NEW SECTION. Sec. 36. The following acts or parts of acts are each repealed:

- (1) Section 21, chapter 200, Laws of 1953 and RCW 41.40.125;
- (2) Section 43.43.150, chapter 8, Laws of 1965 and RCW 43.43.150;
- (3) Section 43.43.265, chapter 8, Laws of 1965 and RCW 43.43.265;
- (4) Section 43.43.266, chapter 8, Laws of 1965 and RCW 43.43.266; and
- (5) Section 5, chapter 12, Laws of 1969 and RCW 43.43.267.

NEW SECTION. Sec. 37. (1) Sections 9 and 34 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.

- (2) The remainder of this act shall take effect July 1, 1982."

On page 1, line 1 of the title, after "public service;" strike the remainder of the title and insert "amending section 18, chapter 267, Laws of 1971 ex. sess. as amended by section 1, chapter 205, Laws of 1979 ex. sess. and RCW 2.10.180; amending section 1, chapter 229, Laws of 1937 as last amended by section 4, chapter 106, Laws of 1973 and RCW 2.12.010; amending section 2, chapter 229, Laws of 1937 as last amended by section 2, chapter 18, Laws of 1982 and RCW 2.12.020; amending section 5, chapter 229, Laws of 1937 as last amended by section 1, chapter 75, Laws of 1977 and RCW 2.12.050; amending section 15, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.540; amending section 1, chapter 80, Laws of 1947 as last amended by section 5, chapter 256, Laws of 1981 and RCW 41.32.010; amending section 3, chapter 80, Laws of 1947 as last amended by section 1, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.030; amending section 38, chapter 80, Laws of 1947 and RCW 41.32.380; amending section 11, chapter 14, Laws of 1963 ex. sess. as amended by section 15, chapter 87, Laws of 1980 and RCW 41.32.401; amending section 12, chapter 150, Laws of 1969 ex. sess. as amended by section 8, chapter 189, Laws of 1973 1st ex. sess. and RCW 41.32.405; amending section 41, chapter 80, Laws of 1947 as last amended by section 13, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.410; amending section 46, chapter 80, Laws of 1947 and RCW 41.32.460; amending section 7, chapter 35, Laws of 1970 ex. sess. as last

amended by section 1, chapter 148, Laws of 1975 1st ex. sess. and RCW 41.32-.4943; amending section 51, chapter 80, Laws of 1947 as last amended by section 17, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.510; amending section 8, chapter 193, Laws of 1974 ex. sess. and RCW 41.32.567; amending section 15, chapter 293, Laws of 1977 ex. sess. and RCW 41.32.820; amending section 11, chapter 274, Laws of 1947 as last amended by section 4, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.100; amending section 13, chapter 274, Laws of 1947 as last amended by section 6, chapter 33, Laws of 1975 and RCW 41.40.120; amending section 16, chapter 274, Laws of 1947 as last amended by section 10, chapter 249, Laws of 1979 ex. sess. and RCW 41.40.150; amending section 19, chapter 274, Laws of 1947 as last amended by section 7, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.180; amending section 38, chapter 274, Laws of 1947 as last amended by section 63, chapter 151, Laws of 1979 and RCW 41.40.370; amending section 14, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.730; amending section 43.43.120, chapter 8, Laws of 1965 as last amended by section 1, chapter 77, Laws of 1980 and RCW 43.43.120; amending section 43.43.230, chapter 8, Laws of 1965 and RCW 43.43.230; amending section 43.43.250, chapter 8, Laws of 1965 as last amended by section 1, chapter 116, Laws of 1975-'76 2nd ex. sess. and RCW 43.43.250; amending section 43.43.260, chapter 8, Laws of 1965 as last amended by section 3, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.260; amending section 4, chapter 180, Laws of 1973 1st ex. sess. as amended by section 3, chapter 14, Laws of 1973 2nd ex. sess. and RCW 43.43.270; amending section 43.43.280, chapter 8, Laws of 1965 as last amended by section 5, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.280; amending section 43.43.290, chapter 8, Laws of 1965 and RCW 43.43.290; amending section 43.43.310, chapter 8, Laws of 1965 as last amended by section 8, chapter 205, Laws of 1979 ex. sess. and RCW 43.43.310; adding a new section to chapter 2.12 RCW; adding a new section to chapter 41.40 RCW; adding a new section to chapter 41.50 RCW; creating new sections; repealing section 21, chapter 200, Laws of 1953 and RCW 41.40.125; repealing section 43.43.150, chapter 8, Laws of 1965 and RCW 43.43.150; repealing section 43.43.265, chapter 8, Laws of 1965 and RCW 43.43.265; repealing section 43.43.266, chapter 8, Laws of 1965 and RCW 43.43.266; repealing section 5, chapter 12, Laws of 1969 and RCW 43.43.267; providing an effective date; and declaring an emergency.", and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

Senator Scott moved the Senate concur in the House amendments to Engrossed Senate Bill No. 4640.

POINT OF ORDER

Senator Shinpoch: "Well, Mr. President, if Senator Scott is right well then, I am sure that I do not have to tell you that your rulings have not indicated that. I think you have always been consistent in your rulings that just because you are dealing with pensions, in fact Senator Scott raised the point of order on a tax bill the other night that dealt with timber tax on a little amendment that I had that all I was doing was changing the timber tax and that was clearly outside the scope and object, and I agreed with it. I understood that, but I think is clearly outside the scope and object of this bill, too, and I think Senator Scott, probably deep in his heart or in the dark of night or wherever it is that he talks to himself, would probably agree that this is outside the scope and object of the bill."

MOTION

At 6:40 p.m., there being no objection, the Senate was declared to be at ease. The President called the Senate to order at 7:25 p.m.

MOTION

On motion of Senator Clarke, the House Message on Engrossed Senate Bill No. 4640 together with the motion by Senator Scott that the Senate concur in the House amendments, was ordered held for a Ruling by the President on April 5, 1982.

MOTIONS

On motion of Senator Clarke, the Senate advanced to the sixth order of business.

On motion of Senator Clarke, the Senate commenced consideration of Substitute House Bill No. 1226.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1226, by House Committee on Appropriations-General Government (originally sponsored by Representatives Isaacson, Bond, Sprague, Tilly, Fancher, Dickie, Mitchell, Barrett, Chandler and Barr):

Modifying provisions relating to public employment.

REPORT OF STANDING COMMITTEE

March 26, 1982.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1226, modifying provisions relating to public employment (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 1, chapter 12, Laws of 1970 ex. sess. as amended by section 2, chapter 118, Laws of 1980 and RCW 41.06.020 are each amended to read as follows:

Unless the context clearly indicates otherwise, the words used in this chapter have the meaning given in this section.

(1) "Agency" means an office, department, board, commission, or other separate unit or division, however designated, of the state government and all personnel thereof; it includes any unit of state government established by law, the executive officer or members of which are either elected or appointed, upon which the statutes confer powers and impose duties in connection with operations of either a governmental or proprietary nature.

(2) "Board" means the state personnel board established under the provisions of RCW 41.06.110, except that this definition does not apply to the words "board" or "boards" when used in RCW 41.06.070.

(3) "Classified service" means all positions in the state service subject to the provisions of this chapter.

(4) "Competitive service" means all positions in the classified service for which a competitive examination is required as a condition precedent to appointment.

(5) "Management employees" means those employees:

(a) Who are classified under this chapter and who are exempt employees under this chapter and have their salary and fringe benefits determined under RCW 41.06.070; and

(b) Who are specified as management by the state personnel board;

but the board shall not go below range 49, as established in the October 1981 state personnel board compensation plan, or its equivalent range in a subsequent compensation plan publication.

(6) "Noncompetitive service" means all positions in the classified service for which a competitive examination is not required.

((6)) (7) "Department" means an agency of government that has as its governing officer a person, or combination of persons such as a commission, board, or council, by law empowered to operate the agency responsible either to ((+)) (a) no other public officer or ((2)) (b) the governor.

((7)) (8) "Career development" means the progressive development of employee capabilities to facilitate productivity, job satisfaction, and upward mobility through work assignments as well as education and training that are both state-sponsored and are achieved by individual employee efforts, all of which shall be consistent with the needs and obligations of the state and its agencies.

((8)) (9) "Training" means activities designed to develop job-related knowledge and skills of employees.

((9)) (10) "Director" means the director of personnel appointed under the provisions of RCW 41.06.130.

Sec. 2. Section 1, chapter 11, Laws of 1972 ex. sess. as last amended by section 2, chapter 225, Laws of 1981 and RCW 41.06.070 are each amended to read as follows:

The provisions of this chapter do not apply to:

(1) The members of the legislature or to any employee of, or position in, the legislative branch of the state government including members, officers, and employees of the legislative council, legislative budget committee, statute law committee, and any interim committee of the legislature;

(2) The justices of the supreme court, judges of the court of appeals, judges of the superior courts or of the inferior courts, or to any employee of, or position in the judicial branch of state government;

(3) Officers, academic personnel, and employees of state institutions of higher education, the state board for community college education, and the higher education personnel board;

(4) The officers of the Washington state patrol;

(5) Elective officers of the state;

(6) The chief executive officer of each agency;

(7) In the departments of employment security, fisheries, social and health services, the director and his confidential secretary; in all other departments, the executive head of which is an individual appointed by the governor, the director, his confidential secretary, and his statutory assistant directors;

(8) In the case of a multimember board, commission, or committee, whether the members thereof are elected, appointed by the governor or other authority, serve ex officio, or are otherwise chosen:

(a) All members of such boards, commissions, or committees;

(b) If the members of the board, commission, or committee serve on a part time basis and there is a statutory executive officer: (i) The secretary of the board, commission, or committee; (ii) the chief executive officer of the board, commission, or committee; and (iii) the confidential secretary of the chief executive officer of the board, commission, or committee;

(c) If the members of the board, commission, or committee serve on a full time basis: (i) The chief executive officer or administrative officer as designated by the board, commission, or committee; and (ii) a confidential secretary to the chairman of the board, commission, or committee;

(d) If all members of the board, commission, or committee serve ex officio: (i) The chief executive officer; and (ii) the confidential secretary of such chief executive officer;

(9) The confidential secretaries and administrative assistants in the immediate offices of the elective officers of the state;

(10) Assistant attorneys general;

(11) Commissioned and enlisted personnel in the military service of the state;

(12) Inmate, student, part time, or temporary employees, and part time professional consultants, as defined by the state personnel board or the board having jurisdiction;

(13) The public printer or to any employees of or positions in the state printing plant;

(14) Officers and employees of the Washington state fruit commission;

(15) Officers and employees of the Washington state apple advertising commission;

(16) Officers and employees of the Washington state dairy products commission;

(17) Officers and employees of the Washington tree fruit research commission;

(18) Officers and employees of the Washington state beef commission;

(19) Officers and employees of any commission formed under the provisions of chapter 191, Laws of 1955, and chapter 15.66 RCW;

(20) Officers and employees of the state wheat commission formed under the provisions of chapter 87, Laws of 1961 (chapter 15.63 RCW);

(21) Officers and employees of agricultural commissions formed under the provisions of chapter 256, Laws of 1961 (chapter 15.65 RCW);

(22) Liquor vendors appointed by the Washington state liquor control board pursuant to RCW 66.08.050: PROVIDED, HOWEVER, That rules and regulations adopted by the state personnel board pursuant to RCW 41.06.150 regarding the basis for, and procedures to be followed for, the dismissal, suspension, or demotion of an employee, and appeals therefrom shall be fully applicable to liquor vendors except those part time agency vendors employed by the liquor control board when, in addition to the sale of liquor for the state, they sell goods, wares, merchandise, or services as a self-sustaining private retail business;

(23) Executive assistants for personnel administration and labor relations in all state agencies employing such executive assistants including but not limited to all departments, offices, commissions, committees, boards, or other bodies subject to the provisions of this chapter and this subsection shall prevail over any provision of law inconsistent herewith unless specific exception is made in such law;

(24) In addition to the exemptions specifically provided by this chapter, the state personnel board may provide for further exemptions pursuant to the following procedures. The governor or other appropriate elected official may submit requests for exemption to the personnel board stating the reasons for requesting such exemptions. The personnel board shall hold a public hearing, after proper notice, on requests submitted pursuant to this subsection. If the board determines that the position for which exemption is requested is one involving substantial responsibility for the formulation of basic agency or executive policy or one involving directing and controlling program operations of an agency or a major administrative division thereof, the personnel board shall grant the request and such determination shall be final. The total number of additional exemptions permitted under this subsection shall not exceed one hundred seventy-five for those agencies not directly under the authority of any elected public official other than the governor, and shall not exceed a total of twenty-five for all agencies under the authority of elected public officials

other than the governor. The state personnel board shall report to each regular session of the legislature during an odd-numbered year all exemptions granted pursuant to the provisions of this subsection, together with the reasons for such exemptions.

The salary and fringe benefits of all positions presently or hereafter exempted except for the chief executive officer of each agency, full time members of boards and commissions, administrative assistants and confidential secretaries in the immediate office of an elected state official, and the personnel listed in subsections (10) through (21) of this section, shall be determined by the state personnel board.

Any person holding a classified position subject to the provisions of this chapter shall, when and if such position is subsequently exempted from the application of this chapter, be afforded the following rights: If such person previously held permanent status in another classified position, such person shall have a right of reversion to the highest class of position previously held, or to a position of similar nature and salary.

Any classified employee having civil service status in a classified position who accepts an appointment in an exempt position shall have the right of reversion to the highest class of position previously held, or to a position of similar nature and salary, within four years from the date of appointment to the exempt position. However, (a) upon the prior request of the appointing authority of the exempt position, the personnel board may approve one extension of no more than four years; and (b) if an appointment was accepted prior to the effective date of this amendatory section, then the four-year period shall begin on the effective date of this amendatory section.

Sec. 3. Section 13, chapter 1, Laws of 1961 and RCW 41.06.130 are each amended to read as follows:

The office of director of personnel is hereby established.

(1) Within ninety days after December 8, 1960, a director of personnel shall be appointed. The merit system director then serving under RCW 50.12.030, whose position is terminated by this chapter, may serve as director of personnel hereunder until a permanent director of personnel is appointed as herein provided, and may be appointed as director of personnel by the governor alone; or the governor may fill the position in the manner hereinafter provided for subsequent vacancies therein on the basis of competitive examination, in conformance with board rules for competitive examinations, for which examinations ~~((said))~~ the merit system director ~~((shall be))~~ is eligible.

(2) The director of personnel shall be appointed by the governor from a list of three names submitted to him by the board with its recommendations~~((:)).~~ The names on such list shall be those of the three standing highest upon competitive examination conducted by a committee of three persons ~~((which shall be))~~ appointed by the board solely for that purpose whenever the position is vacant. Only persons with substantial experience in the field of personnel management ~~((shall be))~~ are eligible to take such examination.

(3) The director of personnel ~~((shall be))~~ is removable for cause by the governor with the approval of a majority of the board or by a majority of the board.

(4) The director of personnel shall direct and supervise all the department of personnel's administrative and technical activities in accordance with the provisions of this chapter and the rules and regulations approved and promulgated thereunder. He shall prepare for consideration by the board proposed rules and regulations required by this chapter. His salary shall be fixed by the board.

(5) The director of personnel may delegate to any agency the authority to perform administrative and technical personnel activities if the agency requests such authority and the director of personnel is satisfied that the agency has the personnel management capabilities to effectively perform the delegated activities. The director

of personnel shall prescribe standards and guidelines for the performance of delegated activities. If the director of personnel determines that an agency is not performing delegated activities within the prescribed standards and guidelines, the director shall withdraw the authority from the agency to perform such activities.

Sec. 4. Section 15, chapter 1, Laws of 1961 as last amended by section 18, chapter 311, Laws of 1981 and by section 1, chapter 79, Laws of 1982 and RCW 41.06.150 are each reenacted and amended to read as follows:

The board shall adopt rules, consistent with the purposes and provisions of this chapter, as now or hereafter amended, and with the best standards of personnel administration, regarding the basis and procedures to be followed for:

- (1) The reduction, dismissal, suspension, or demotion of an employee;
- (2) Certification of names for vacancies, including departmental promotions and reemployment from layoff, with the number of names equal to ~~((two))~~ four more names than there are vacancies to be filled, such names representing applicants rated highest on eligibility lists;
- (3) Examinations for all positions in the competitive and noncompetitive service;
- (4) Appointments;
- (5) Training and career development;
- (6) Probationary periods of six to twelve months and rejections therein, depending on the job requirements of the class, except that entry level state park rangers shall serve a probationary period of twelve months;
- (7) Transfers;
- (8) Sick leaves and vacations;
- (9) Hours of work;
- (10) Layoffs when necessary and subsequent reemployment(~~((both according to seniority))~~);

(11) Determination of appropriate bargaining units within any agency: **PROVIDED**, That in making such determination the board shall consider the duties, skills, and working conditions of the employees, the history of collective bargaining by the employees and their bargaining representatives, the extent of organization among the employees, and the desires of the employees;

(12) Certification and decertification of exclusive bargaining representatives: **PROVIDED**, That after certification of an exclusive bargaining representative and upon ~~((said))~~ the representative's request, the director shall hold an election among employees in a bargaining unit to determine by a majority whether to require as a condition of employment membership in the certified exclusive bargaining representative on or after the thirtieth day following the beginning of employment or the date of such election, whichever is the later, and the failure of an employee to comply with such a condition of employment ~~((shall))~~ constitutes cause for dismissal: PROVIDED FURTHER, That no more often than once in each twelve-month period after expiration of twelve months following the date of the original election in a bargaining unit and upon petition of thirty percent of the members of a bargaining unit the director shall hold an election to determine whether a majority wish to rescind such condition of employment: **PROVIDED FURTHER**, That for purposes of this clause, membership in the certified exclusive bargaining representative ~~((shall be))~~ is satisfied by the payment of monthly or other periodic dues and ~~((shall))~~ does not require payment of initiation, reinstatement, or any other fees or fines and ~~((shall))~~ includes full and complete membership rights: AND PROVIDED FURTHER, That in order to safeguard the right of nonassociation of public employees, based on bona fide religious tenets or teachings of a church or religious body of which such public employee is a member, such public employee shall pay to the union, for purposes within the program of the union as designated by such employee that would be in harmony with his individual conscience, an amount of money

equivalent to regular union dues minus any included monthly premiums for union-sponsored insurance programs, and such employee shall not be a member of the union but (~~shall be~~) is entitled to all the representation rights of a union member;

(13) Agreements between agencies and certified exclusive bargaining representatives providing for grievance procedures and collective negotiations on all personnel matters over which the appointing authority of the appropriate bargaining unit of such agency may lawfully exercise discretion;

(14) Written agreements may contain provisions for payroll deductions of employee organization dues upon authorization by the employee member and for the cancellation of such payroll deduction by the filing of a proper prior notice by the employee with the appointing authority and the employee organization: PROVIDED, That nothing contained herein (~~shall~~) permits or grants to any employee the right to strike or refuse to perform his official duties;

(15) Adoption and revision of a comprehensive classification plan for all positions in the classified service, based on investigation and analysis of the duties and responsibilities of each such position;

(16) Allocation and reallocation of positions within the classification plan;

(17) Adoption and revision of a state salary schedule to reflect the prevailing rates in Washington state private industries and other governmental units, such adoption and revision subject to approval by the director of financial management in accordance with the provisions of chapter 43.88 RCW;

(18) Increment or merit increases within the series of steps for each pay grade (~~based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service~~);

(19) Providing for veteran's preference as required by existing statutes, with recognition of preference in regard to layoffs and subsequent reemployment for veterans and their widows by giving such eligible veterans and their widows additional credit in computing their seniority by adding to their unbroken state service, as defined by the board, the veteran's service in the military not to exceed five years. For the purposes of this section, "veteran" means any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given: PROVIDED, HOWEVER, That the widow of a veteran (~~shall be~~) is entitled to the benefits of this section regardless of the veteran's length of active military service: PROVIDED FURTHER, That for the purposes of this section "veteran" (~~shall~~) does not include any person who has voluntarily retired with twenty or more years of active military service and whose military retirement pay is in excess of five hundred dollars per month;

(20) Permitting agency heads to delegate the authority to appoint, reduce, dismiss, suspend, or demote employees within their agencies if such agency heads do not have specific statutory authority to so delegate: PROVIDED, That the board may not authorize such delegation to any position lower than the head of a major subdivision of the agency.

Sec. 5. Section 6, chapter 152, Laws of 1977 ex. sess. and RCW 41.06.169 are each amended to read as follows:

After consultation with state agency heads, employee organizations, and other interested parties, the state personnel director shall develop standardized employee performance evaluation procedures and forms which shall be used by state agencies for the appraisal of employee job performance at least annually. These procedures

shall include means whereby individual agencies may supplement the standardized evaluation process with special performance factors peculiar to specific organizational needs. Performance evaluation procedures shall place primary emphasis on recording how well the employee has contributed to efficiency, effectiveness, and economy in fulfilling state agency and job objectives. (~~A standardized performance evaluation procedure shall be instituted not later than July 1, 1978, for all employees.~~) This section shall expire June 30, 1985. This section shall not apply to management employees after June 30, 1984.

NEW SECTION. Sec. 6. There is added to chapter 41.06 RCW a new section to read as follows:

(1) After consultation with state agency heads, employee organizations, and other interested parties, the state personnel director shall develop standardized employee performance evaluation procedures and forms which shall be used by state agencies for the appraisal of employee job performance at least annually. These procedures shall include means whereby individual agencies may supplement the standardized evaluation process with special performance factors peculiar to specific organizational needs.

(2) The standardized performance evaluation shall measure employee performance within at least five performance rating categories as established by the board. Such evaluation shall be given to classified employees and those exempt employees whose salary and fringe benefits are determined by the board pursuant to RCW 41.06.070.

(3) The board shall adopt rules designed to insure that performance evaluations of employees do not result in unrealistic concentration in any performance rating category.

(4) This section shall apply to:

(a) Management employees beginning July 1, 1984; and

(b) All other employees beginning July 1, 1985.

(5) A classified employee may appeal his or her performance evaluation under RCW 41.06.170(2) only to the extent the evaluation violates this chapter or rules promulgated under this chapter.

NEW SECTION. Sec. 7. There is added to chapter 41.06 RCW a new section to read as follows:

(1) The board shall develop rules by January 1, 1984, which will assure that whenever an agency makes a layoff of classified management employees after June 30, 1985, or other classified employees after June 30, 1986, the decision on which employees to lay off shall be based on performance and seniority.

(2) From the effective date of this section until the provisions of subsection (1) of this section are implemented, the decision on which employees to lay off shall be based on seniority. However, where seniority is equal, performance shall be used as the determining factor.

NEW SECTION. Sec. 8. There is added to chapter 41.06 RCW a new section to read as follows:

(1) Beginning July 1, 1985, the performance of each nonmanagement employee shall be evaluated prior to the date on which the nonmanagement employee would be eligible to receive an increment or merit increase in salary. In the conduct of the evaluation, the agency shall use the evaluation procedure and forms adopted under section 6 of this act.

(2) After June 30, 1985, increment or merit increases for these employees may be awarded only as follows:

(a) To the midstep of the salary range based on seniority if the employee receives other than the lowest performance rating category; and

(b) From the midstep of the salary range based on above-satisfactory performance, but if the employee in the performance evaluation receives a performance rating category of less than satisfactory, the increase granted as a result of the prior performance evaluation shall be withdrawn.

(3) A nonmanagement employee at the top of the salary range may only be granted an additional increase if the performance of the nonmanagement employee is rated in the highest performance rating category. Such increase shall be withdrawn if any subsequent performance evaluation is less than the highest performance rating category.

NEW SECTION. Sec. 9. There is added to chapter 41.06 RCW a new section to read as follows:

Beginning on July 1, 1984, management employees of an agency shall be subject to performance evaluation using the procedures developed under section 6 of this act. Such management employees may only be granted increment and merit increases in salary, based on performance, under the rules promulgated by the board.

NEW SECTION. Sec. 10. There is added to chapter 41.06 RCW a new section to read as follows:

Whenever an employee has been laid off, the employee's rights in respect to reemployment from layoff shall be based on seniority and subject to RCW 41.06.150(2). Certification from the layoff lists may be augmented by names from other lists if necessary to complete the certification.

NEW SECTION. Sec. 11. There is added to chapter 28B.10 RCW a new section to read as follows:

Unless the context clearly requires otherwise, the definition in this section applies throughout this chapter.

"Management employees" mean administrative exempt personnel of each institution of higher education who are specified by each institution as management.

NEW SECTION. Sec. 12. There is added to chapter 28B.10 RCW a new section to read as follows:

(1) The state and regional universities and The Evergreen State College shall develop performance evaluation procedures and forms which shall be used for the appraisal of management employees.

(2) The performance evaluation shall measure management employees' performance within at least five performance rating categories.

(3) Each of these institutions shall adopt rules designed to insure that performance evaluations of management employees do not result in unrealistic concentration in any performance rating category.

NEW SECTION. Sec. 13. There is added to chapter 28B.10 RCW a new section to read as follows:

Beginning on July 1, 1984, management employees shall be subject to performance evaluation using the procedures developed under section 12 of this act. Such employees may be granted merit increases in salary, based on performance, as determined by each institution for its employees.

Sec. 14. Section 2, chapter 36, Laws of 1969 ex. sess. as amended by section 41, chapter 169, Laws of 1977 ex. sess. and RCW 28B.16.020 are each amended to read as follows:

Unless the context clearly indicates otherwise, the words used in this chapter have the meaning given in this section.

(1) "Institutions of higher education" are the University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, The Evergreen State College, and the various state community colleges;

(2) "Board" means the higher education personnel board established under the provisions of RCW 28B.16.060;

(3) "Related boards" means the state board for community college education and the higher education personnel board; and such other boards, councils and commissions related to higher education as may be established;

(4) "Classified service" means all positions at the institutions of higher education subject to the provisions of this chapter;

(5) "Competitive service" means all positions in the classified service for which a competitive examination is required as a condition precedent to appointment;

(6) "Noncompetitive service" means all positions in the classified service for which a competitive examination is not required;

(7) "Management employees" mean those classified employees under this chapter specified as management by the higher education personnel board, but the board shall not go below range 49, as established in the October 1981 higher education personnel board compensation plan, or its equivalent range in a subsequent compensation plan publication.

Sec. 15. Section 4, chapter 36, Laws of 1969 ex. sess. as amended by section 1, chapter 94, Laws of 1977 ex. sess. and RCW 28B.16.040 are each amended to read as follows:

The following classifications, positions, and employees of institutions of higher education and related boards are hereby exempted from coverage of this chapter:

(1) Members of the governing board of each institution and related boards, all presidents, vice presidents and their confidential secretaries, administrative and personal assistants; deans, directors, and chairmen; academic personnel; and executive heads of major administrative or academic divisions employed by institutions of higher education; and any employee of a community college district whose place of work is one which is physically located outside the state of Washington and who is employed pursuant to RCW 28B.50.092 and assigned to an educational program operating outside of the state of Washington.

(2) Student, part time, or temporary employees, and part time professional consultants, as defined by the higher education personnel board, employed by institutions of higher education and related boards.

(3) The director, his confidential secretary, assistant directors, and professional education employees of the state board for community college education.

(4) The personnel director of the higher education personnel board and his confidential secretary.

(5) The governing board of each institution, and related boards, may also exempt from this chapter, subject to the employees right of appeal to the higher education personnel board, classifications involving research activities, counseling of students, extension or continuing education activities, graphic arts or publications activities requiring prescribed academic preparation or special training, and principal assistants to executive heads of major administrative or academic divisions, as determined by the higher education personnel board: PROVIDED, That no nonacademic employee engaged in office, clerical, maintenance, or food and trade services may be exempted by the higher education personnel board under this provision.

Any classified employee having civil service status in a classified position who accepts an appointment in an exempt position shall have the right of reversion to the highest class of position previously held, or to a position of similar nature and salary, within four years from the date of appointment to the exempt position. However, (a) upon the prior request of the appointing authority of the exempt position, the board may approve one extension of no more than four years; and (b) if an appointment was accepted prior to the effective date of this amendatory section, then the four-year period shall begin on the effective date of this amendatory section.

Sec. 16. Section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 15, chapter 151, Laws of 1979 and RCW 28B.16.100 are each amended to read as follows:

The higher education personnel board shall adopt rules, consistent with the purposes and provisions of this chapter and with the best standards of personnel administration, regarding the basis and procedures to be followed for:

(1) The dismissal, suspension, or demotion of an employee, and appeals therefrom;

(2) Certification of names for vacancies, including promotions and reemployment from layoff, with the number of names equal to ~~((two))~~ four more names than there are vacancies to be filled, such names representing applicants rated highest on eligibility lists;

(3) Examination for all positions in the competitive and noncompetitive service;

(4) Appointments;

(5) Probationary periods of six ~~((months and rejections therein))~~ to twelve months and rejections therein, depending on the job requirements of the class;

(6) Transfers;

(7) Sick leaves and vacations;

(8) Hours of work;

(9) Layoffs when necessary and subsequent reemployment ~~((, both according to seniority))~~;

(10) Determination of appropriate bargaining units within any institution or related boards: PROVIDED, That in making such determination the board shall consider the duties, skills, and working conditions of the employees, the history of collective bargaining by the employees and their bargaining representatives, the extent of organization among the employees, and the desires of the employees;

(11) Certification and decertification of exclusive bargaining representatives: PROVIDED, That after certification of an exclusive bargaining representative and upon ~~((said))~~ the representative's request, the director shall hold an election among employees in a bargaining unit to determine by a majority whether to require as a condition of employment membership in the certified exclusive bargaining representative on or after the thirtieth day following the beginning of employment or the date of such election, whichever is the later, and the failure of an employee to comply with such condition of employment ~~((shall))~~ constitutes cause for dismissal: PROVIDED FURTHER, That no more often than once in each twelve-month period after expiration of twelve months following the date of the original election in a bargaining unit and upon petition of thirty percent of the members of a bargaining unit the director shall hold an election to determine whether a majority wish to rescind such condition of employment: PROVIDED FURTHER, That for purposes of this clause, membership in the certified exclusive bargaining representative ~~((shall be))~~ is satisfied by the payment of monthly or other periodic dues and ~~((shall))~~ does not require payment of initiation, reinstatement, or any other fees or fines and ~~((shall))~~ includes full and complete membership rights: AND PROVIDED FURTHER, That in order to safeguard the right of nonassociation of public employees, based on bona fide religious tenets or teachings of a church or religious body of which such public employee is a member, such public employee shall pay to the union, for purposes within the program of the union as designated by such employee that would be in harmony with his individual conscience, an amount of money equivalent to regular union dues minus any included monthly premiums for union-sponsored insurance programs, and such employee shall not be a member of the union but ~~((shall be))~~ is entitled to all the representation rights of a union member;

(12) Agreements between institutions or related boards and certified exclusive bargaining representatives providing for grievance procedures and collective negotiations on all personnel matters over which the institution or the related board may lawfully exercise discretion;

(13) Written agreements may contain provisions for payroll deductions of employee organization dues upon authorization by the employee member and for the cancellation of such payroll deduction by the filing of a proper prior notice by the employee with the institution and the employee organization: PROVIDED, That nothing contained herein (~~shall~~) permits or grants to any employee the right to strike or refuse to perform his official duties;

(14) Adoption and revision of comprehensive classification plans for all positions in the classified service, based on investigation and analysis of the duties and responsibilities of each such position;

(15) Allocation and reallocation of positions within the classification plan;

(16) Adoption and revision of salary schedules and compensation plans which reflect the prevailing rates in Washington state private industries and other governmental units for positions of a similar nature and which shall be competitive in the state or the locality in which the institution or related boards are located, such adoption, revision, and implementation subject to approval as to availability of funds by the director of financial management in accordance with the provisions of chapter 43.88 RCW, and after consultation with the chief financial officer of each institution or related board for that institution or board, or in the case of community colleges, by the chief financial officer of the state board for community college education for the various community colleges;

(17) Training programs including in-service, promotional, and supervisory;

(18) Increment or merit increases within the series of steps for each pay grade (~~(based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service)~~); and

(19) Providing for veteran's preference as provided by existing statutes, with recognition of preference in regard to layoffs and subsequent reemployment for veterans and their widows by giving such eligible veterans and their widows additional credit in computing their seniority by adding to their unbroken higher education service, as defined by the board, the veteran's service in the military not to exceed five years of such service. For the purposes of this section, "veteran" means any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service, has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given: PROVIDED, HOWEVER, That the widow of a veteran (~~shall be~~) is entitled to the benefits of this section regardless of the veteran's length of active military service: PROVIDED FURTHER, That for the purposes of this section "veteran" (~~shall~~) does not include any person who has voluntarily retired with twenty or more years of active military service and whose military retirement pay is in excess of five hundred dollars per month.

Sec. 17. Section 13, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.105 are each amended to read as follows:

After consultation with institution heads, employee organizations, and other interested parties, the board shall develop standardized employee performance evaluation procedures and forms which shall be used by institutions of higher learning for the appraisal of employee job performance at least annually. These procedures

shall include means whereby individual institutions may supplement the standardized evaluation process with special performance factors peculiar to specific organizational needs. This evaluation procedure shall place primary emphasis on recording how well the employee has contributed to efficiency, effectiveness, and economy in fulfilling institution and job objectives. ~~((A standardized performance evaluation procedure shall be instituted not later than July 1, 1978, for all employees.))~~ This section shall expire June 30, 1985. This section shall not apply to management employees after June 30, 1984.

NEW SECTION. Sec. 18. There is added to chapter 28B.16 RCW a new section to read as follows:

(1) After consultation with institution heads, employee organizations, and other interested parties, the personnel director shall develop standardized employee performance evaluation procedures and forms which shall be used by institutions of higher education and related boards for the appraisal of employee job performance at least annually. These procedures shall include means whereby individual institutions and related boards may supplement the standardized evaluation process with special performance factors peculiar to specific organizational needs.

(2) The standardized performance evaluation shall measure classified employee performance within at least five performance rating categories as established by the board.

(3) The board shall adopt rules designed to insure that performance evaluations of employees do not result in unrealistic concentration in any performance rating category.

(4) This section shall apply to:

(a) Management employees beginning July 1, 1984; and

(b) All other employees beginning July 1, 1985.

(5) A classified employee may appeal his or her performance evaluation within thirty days to the board only to the extent the evaluation violates this chapter or rules adopted under this chapter.

Sec. 19. Section 9, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.101 are each amended to read as follows:

Rules adopted by the higher education personnel board shall provide for local administration and management by the institutions of higher education and related boards, subject to periodic audit and review by the board, of the following:

(1) Appointment, promotion, and transfer of employees;

(2) Dismissal, suspension, or demotion of an employee;

(3) Examinations for all positions in the competitive and noncompetitive service;

(4) Probationary periods of six to twelve months and rejections therein;

(5) Sick leaves and vacations;

(6) Hours of work;

(7) Layoffs when necessary and subsequent reemployment;

(8) Allocation and reallocation of positions within the classification plans;

(9) Training programs; and

(10) Maintenance of personnel records.

NEW SECTION. Sec. 20. There is added to chapter 28B.16 RCW a new section to read as follows:

(1) The board shall develop rules by January 1, 1984, which will assure that whenever an institution of higher education makes a layoff of classified management employees after June 30, 1985, or other classified employees after June 30, 1986, the decision on which employees to lay off shall be based on performance and seniority.

(2) From the effective date of this section until the provisions of subsection (1) of this section are implemented, the decision on which employees to lay off shall be

based on seniority. However, where seniority is equal, performance shall be used as the determining factor.

NEW SECTION. Sec. 21. There is added to chapter 28B.16 RCW a new section to read as follows:

(1) Beginning July 1, 1985, the performance of each nonmanagement employee shall be evaluated prior to the date on which the nonmanagement employee would be eligible to receive an increment or merit increase in salary. In conduct of the evaluation, the institution shall use the evaluation procedure and forms adopted under section 18 of this act.

(2) After June 30, 1985, increment or merit increases for these employees may be awarded only as follows:

(a) To the midstep of the salary range based on seniority if the employee receives other than the lowest performance rating category; and

(b) From the midstep of the salary range based on above-satisfactory performance, but if the nonmanagement employee in the performance evaluation receives a performance rating category of less than satisfactory, the increase granted as a result of the prior performance evaluation shall be withdrawn.

(3) A nonmanagement employee at the top of the salary range may only be granted an additional increase if the performance of the nonmanagement employee is rated in the highest performance rating category. Such increase shall be withdrawn if any subsequent performance evaluation is less than the highest performance rating category.

NEW SECTION. Sec. 22. There is added to chapter 28B.16 RCW a new section to read as follows:

Beginning on July 1, 1984, classified management employees shall be subject to performance evaluation using the procedures developed under section 18 of this act. Such classified management employees may only be granted increment and merit increases in salary, based on performance, under the rules promulgated by the board.

NEW SECTION. Sec. 23. There is added to chapter 28B.16 RCW a new section to read as follows:

Whenever an employee has been laid off, the employee's rights, in respect to reemployment from layoff shall be based on seniority, and subject to RCW 28B.16.100(2). Certification from the layoff lists may be augmented by names from other lists if necessary to complete the certification.

Sec. 24. Section 28B.50.030, chapter 223, Laws of 1969 ex. sess. as last amended by section 12, chapter 62, Laws of 1973 and RCW 28B.50.030 are each amended to read as follows:

As used in this chapter, unless the context requires otherwise, the term:

(1) "System" shall mean the state system of community colleges, which shall be a system of higher education;

(2) "College board" shall mean the state board for community college education created by this chapter;

(3) "Director" shall mean the administrative director for the state system of community colleges;

(4) "District" shall mean any one of the community college districts created by this chapter;

(5) "Board of trustees" shall mean the local community college board of trustees established for each community college district within the state;

(6) "Council" shall mean the coordinating council for occupational education;

(7) "Occupational education" shall mean that education or training that will prepare a student for employment that does not require a baccalaureate degree;

(8) "K-12 system" shall mean the public school program including kindergarten through the twelfth grade;

(9) "Common school board" shall mean a public school district board of directors;

(10) "Community college" shall include where applicable, vocational-technical and adult education programs conducted by community colleges and vocational-technical institutes whose major emphasis is in post-high school education;

(11) "Adult education" shall mean all education or instruction, including academic, vocational education or training, and "occupational education" provided by public educational institutions, including common school districts for persons who are eighteen years of age and over or who hold a high school diploma or certificate: PROVIDED, That "adult education" shall not include academic education or instruction for persons under twenty-one years of age who do not hold a high school degree or diploma and who are attending a public high school for the sole purpose of obtaining a high school diploma or certificate: PROVIDED, FURTHER, That "adult education" shall not include education or instruction provided by any four year public institution of higher education: AND PROVIDED FURTHER, That adult education shall not include education or instruction provided by a vocational-technical institute;

(12) "Management employees" shall mean administrative exempt personnel of each community college who are specified by each community college as management.

NEW SECTION. Sec. 25. There is added to chapter 28B.50 RCW a new section to read as follows:

(1) The community colleges and the college board shall develop performance evaluation procedures and forms which shall be used for the appraisal of their respective management employees.

(2) The performance evaluation shall measure management employees' performance within at least five performance rating categories.

(3) Each community college and the college board shall adopt rules designed to insure that performance evaluations of their respective management employees do not result in unrealistic concentration in any performance rating category.

NEW SECTION. Sec. 26. There is added to chapter 28B.50 RCW a new section to read as follows:

Beginning on July 1, 1984, management employees shall be subject to performance evaluation using the procedures developed under section 25 of this 1982 act. Such employees may be granted merit increases in salary, based on performance, as determined by each community college and the college board for their respective employees.

NEW SECTION. Sec. 27. There is added to chapter 28B.80 RCW a new section to read as follows:

Unless the context clearly requires otherwise, the definition in this section applies throughout this chapter.

"Management employees" mean administrative exempt personnel of the council for postsecondary education who are specified by the council as management.

NEW SECTION. Sec. 28. There is added to chapter 28B.80 RCW a new section to read as follows:

(1) The council shall develop performance evaluation procedures and forms which shall be used for the appraisal of management employees.

(2) The performance evaluation shall measure management employees' performance within at least five performance rating categories.

(3) The council shall adopt rules designed to insure that performance evaluations of management employees do not result in unrealistic concentration in any performance rating category.

NEW SECTION. Sec. 29. There is added to chapter 28B.80 RCW a new section to read as follows:

Beginning on July 1, 1984, management employees of the council shall be subject to performance evaluation using the procedures developed under section 28 of this act. Such employees may be granted merit increases in salary based on performance as determined by the council for its employees.

NEW SECTION. Sec. 30. The director of the department of personnel, the director of the higher education personnel board, and the institutions of higher education shall present to the legislature by April 1, 1983, a report containing its proposed rules to implement the performance evaluation process by July 1, 1984, for management employees and by April 1, 1984, a report containing its proposed rules to implement the performance evaluation process by July 1, 1985, for other employees. Such reports shall include, but not be limited to:

- (1) The elements of the evaluation;
- (2) Training programs;
- (3) Application of the performance evaluation to merit increases;
- (4) Application to layoff for classified employees; and
- (5) Methods to insure that performance evaluation ratings will not be unrealistically concentrated in any category.

NEW SECTION. Sec. 31. The following acts or parts of acts are each repealed:

- (1) Section 5, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.050; and
- (2) Section 10, chapter 1, Laws of 1961 and RCW 41.06.100.

NEW SECTION. Sec. 32. If any provision of this 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."

On page 1, line 1 of the title, after "employees;" strike the remainder of the title, and insert "amending section 1, chapter 12, Laws of 1970 ex. sess. as amended by section 2, chapter 118, Laws of 1980 and RCW 41.06.020; amending section 1, chapter 11, Laws of 1972 ex. sess. as last amended by section 2, chapter 225, Laws of 1981 and RCW 41.06.070; amending section 13, chapter 1, Laws of 1961 and RCW 41.06.130; reenacting and amending section 15, chapter 1, Laws of 1961 as last amended by section 18, chapter 311, Laws of 1981 and by section 1, chapter 79, Laws of 1982 and RCW 41.06.150; amending section 6, chapter 152, Laws of 1977 ex. sess. and RCW 41.06.169; amending section 2, chapter 36, Laws of 1969 ex. sess. as amended by section 41, chapter 169, Laws of 1977 ex. sess. and RCW 28B.16.020; amending section 4, chapter 36, Laws of 1969 ex. sess. as amended by section 1, chapter 94, Laws of 1977 ex. sess. and RCW 28B.16.040; amending section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 15, chapter 151, Laws of 1979 and RCW 28B.16.100; amending section 13, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.105; amending section 9, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.101; amending section 28B.50.030, chapter 223, Laws of 1969 ex. sess. as last amended by section 12, chapter 62, Laws of 1973 and RCW 28B.50.030; adding new sections to chapter 28B.10 RCW; adding new sections to chapter 28B.16 RCW; adding new sections to chapter 28B.50 RCW; adding new sections to chapter 28B.80 RCW; adding new sections to chapter 41.06 RCW; creating a new section; repealing section 5, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.050; repealing section 10, chapter 1, Laws of 1961 and RCW 41.06.100; and providing expiration dates."

Signed by: Senators Scott, Chairman; Bluechel, Craswell, Deccio, Haley, Hayner, Jones, Lee, Zimmerman.

The bill was read the second time by sections.

Senator Scott moved adoption of the committee amendment.

On motion of Senator Bottiger, the rules were suspended to permit Senator Scott to exceed the three-minute rule to explain the committee amendment.

Senator Hemstad moved the following amendments by Senators Hemstad, Pullen, Fuller and Quigg to the committee amendment be considered and adopted simultaneously:

On page 18 of the Committee Amendment, beginning on line 15, strike all of subsection (1), through and including line 29, and insert the following:

"(1) After consultation with state agency heads, employee organizations, and other interested parties, the state personnel director shall develop employee performance evaluation standards, procedures, and forms which shall be used by state agencies for the appraisal of employee job performance at least annually. The performance evaluation procedures shall include means whereby individual agencies may develop special performance factors peculiar to the organizational needs of particular employing agencies. Performance evaluation standards shall not include detailed work expectations, which shall be developed by the employing agency."

On page 33 of the Committee Amendment, beginning on line 10, strike all of subsection (1), through and including line 26, and insert the following:

"(1) After consultation with institution heads, employee organizations, and other interested parties, the personnel director shall develop employee performance evaluation standards, procedures, and forms which shall be used by institutions of higher education for the appraisal of employee job performance at least annually. The performance evaluation procedures shall include means whereby individual institutions and related boards may develop special performance factors peculiar to the organizational needs of particular employing institutions. Performance evaluation standards shall not include detailed work expectations, which shall be developed by the employing institution."

POINT OF INQUIRY

Senator Lee: "Senator Hemstad, the last sentence that you have added on to these amendments which say 'Performance evaluation standards shall not include detailed work expectations which shall be developed by the employing agency.' I guess I am curious as to why you think this is an essential part of this particular amendment?"

Senator Hemstad: "At least two points should probably be emphasized. First is, that each employee should be made aware of the supervisor's expectations, which of course will be important in the context of using performance as a major component in determining both salary and status in an agency.

"And second that those expectations are more properly developed by the local agency or the local institution than by the central personnel board because it is at the local level that they can be more tailored to the individual position or the individual need of that position."

The motion by Senator Hemstad carried and the amendments to the committee amendment were adopted.

Senator Hemstad moved the following amendments by Senators Hemstad, Pullen, Fuller and Quigg, to the committee amendment, be considered and adopted simultaneously:

On page 19 of the Committee Amendment, line 19, after "chapter" and before the period, insert ", or if the performance rating category received in the performance evaluation would result in a withdrawal of the increment increase previously received other than the increment increase received under section 8(3) of this act"

On page 34 of the Committee Amendment, line 12, after "chapter" and before the period, insert ", or if the performance rating category received in the performance evaluation would result in a withdrawal of the increment increase previously received other than the increment increase received under section 21(3) of this act"

POINT OF INQUIRY

Senator Bottiger: "Senator Hemstad, the section you are dealing with and amending here applies to promotions and salary step increases. Is that correct?"

Senator Hemstad: "Yes."

Senator Bottiger: "It does not apply to layoffs, they would have no appeal rights under layoffs, no appeal rights on promotions, and no appeal rights on rehires. Is that correct?"

Senator Hemstad: To clarify my first answer, I believe the section pertains to the step increases only."

Senator Bottiger: "Okay. This is the salary, the increment salary."

Senator Hemstad: "That is right. But further to your point. There is the entire existing civil service structure in place with its elaboration of the rules and regulations that deal with external appeals on the question of promotions and layoffs."

Senator Bottiger: "Is it your understanding, Senator, that those sections are amended here and the internal, within the department only appeal, will still apply to layoffs, promotions, and rehires? The external appeal to the board claiming that the rehire was for reasons other than the internal department evaluation will not be founded in the state personnel board. You will only be able to go within your own department?"

Senator Hemstad: "I am a bit uncertain in my answer to that because I am unclear as to the relationship of this to the overall rulemaking authority of the personnel board with regard to those other issues."

Senator Bottiger: "Senator, I am not unclear. There is no external appeal to layoffs, promotions, or rehires which go now under this act."

REMARKS BY SENATOR SCOTT

Senator Scott: "Senator Bottiger is correct that we are not changing the status quo here. The Hemstad amendment speaks to changes that are negative from the employees point of view as to issues of money under this system. If they do not get, if, for instance the increment is taken away from them, on matters of procedure, the level playing field the rules of the game, the rules under which all of this takes place, on matters of procedure, they can now and will continue to be able to appeal up to the board, outside the agency."

Debate ensued.

POINT OF INQUIRY

Senator Clarke: "Mr. President, I assume that the illustration you give would be in violation of other existing statutes and I am sure could be proceeded against. I think, perhaps, your illustration was not particularly apt."

Senator Talmadge: "Senator, that is a question of when the personnel people were in our caucus, I asked the very same question, and they made the very same assumption that you did, that no one has yet been able to point out to me, specifically, where such an activity might run afoul of existing law, what existing law that might be.

"The fact of the matter is, when you go to a performance-based system, I think you run this kind of risk. There isn't anything in law now that we know of that would bar that."

Senator Clarke: "My understanding is that the situation that you have outlined would constitute a violation of existing law and it is hard for me to conceive that if a discharge was based upon a violation of existing law that there would be no right to contest that particular termination."

Further debate ensued.

The motion by Senator Hemstad carried and the amendments to the committee amendment were adopted.

On motion of Senator Hemstad, the following amendments by Senators Hemstad, Pullen, Fuller and Quigg to the committee amendment were considered and adopted simultaneously:

On page 20 of the Committee Amendment, beginning on line 25, after "on" delete "above-satisfactory" and insert "satisfactory"

On page 36 of the Committee Amendment, beginning on line 14, after "on" delete "above-satisfactory" and insert "satisfactory"

On motion of Senator Pullen the following amendments to the committee amendment were considered and adopted simultaneously:

On page 19, line 2, after "shall" insert: ", subject to legislative approval under section 30 of this act,"

On page 19, line 19, after "chapter" insert: ", subject to legislative approval under section 30 of this act,"

On page 19, line 23, after "shall" insert: ", subject to legislative approval under section 30 of this act,"

On page 21, line 18, after "board" insert: ", subject to legislative approval under section 30 of this act"

On page 22, line 22, after "shall" insert: ", subject to legislative approval under section 30 of this act,"

On page 33, line 33, after "shall" insert: ", subject to legislative approval under section 30 of this act,"

On page 34, line 12, after "chapter" insert: ", subject to legislative approval under section 30 of this act"

On page 35, line 11, after "shall" insert: ", subject to legislative approval under section 30 of this act,"

On page 37, line 8, after "board" insert " ", subject to legislative approval under section 30 of this act"

On page 40, line 5, after "shall" insert: ", subject to legislative approval under section 30 of this act,"

Senator Pullen moved adoption of the following amendment by Senators Pullen, Hemstad and Fuller to the committee amendment:

On page 42 of the Committee Amendment, after line 21, insert the following:

"For the purposes of this section the proposed rules and regulations relating to employee performance evaluations presented to the legislature as provided herein shall not become effective nor shall any employee be subject to written evaluation thereunder prior to approval of such rules and regulations by the senate and house of representatives in the form of a concurrent resolution. Such rules and regulations shall not become effective until a minimum of thirty days after approval by the legislature in the form of a concurrent resolution. If the legislature fails to adopt such concurrent resolution before July 1, 1986, sections 6 through 9, 11 through 13, 18, 20 through 22, and 25 through 29 of this act are null and void and without further force or effect.

The rules and regulations as approved herein shall become effective as provided herein and thereafter may be amended or revised by the state personnel board pursuant to the terms and conditions of chapter 41.06 RCW and by the higher education personnel board as provided in 28B.16 RCW, but such rules and regulations shall not be amended or revised by the state personnel board or the higher education personnel board within one hundred eighty days from the effective date of the initial approval by the legislature. In addition to submission of any amendment or revision to the joint legislative rules review committee pursuant to chapter 34.04 RCW, any such amendment or revision shall be submitted to the senate and house of representatives committees on ways and means and state government."

POINT OF INQUIRY

Senator Shinpoch: "Senator Pullen, would it be your intent that the legislature in a concurrent resolution might very well write the performance for standards review itself?"

Senator Pullen: "Definitely not. The intent of this is that we simply say 'yes' or 'no' to the rules and regulations that will be presented to us. We will not have the authority to rewrite them ourselves; of course, we could make suggestions as to how the rules could be amended and if our suggestions are not carried out, we would have the right to vote 'no' on a concurrent resolution or not adopt a concurrent resolution altogether."

Senator Shinpoch: "Thank you."

The motion by Senator Pullen carried and the amendment to the committee amendment was adopted.

Senator Bottiger moved adoption of the following amendment by Senators Bottiger, Ridder, Talmadge, Vognild, Hurley and Wojahn to the committee amendment:

On page 1, beginning on line 5, strike everything and insert:

"Section 1. Section 1, chapter 11, Laws of 1972 ex. sess. as last amended by section 2, chapter 225, Laws of 1981 and RCW 41.06.070 are each amended to read as follows:

The provisions of this chapter do not apply to:

(1) The members of the legislature or to any employee of, or position in, the legislative branch of the state government including members, officers, and employees of the legislative council, legislative budget committee, statute law committee, and any interim committee of the legislature;

(2) The justices of the supreme court, judges of the court of appeals, judges of the superior courts or of the inferior courts, or to any employee of, or position in the judicial branch of state government;

(3) Officers, academic personnel, and employees of state institutions of higher education, the state board for community college education, and the higher education personnel board;

(4) The officers of the Washington state patrol;

(5) Elective officers of the state;

(6) The chief executive officer of each agency;

(7) In the departments of employment security, fisheries, social and health services, the director and his confidential secretary; in all other departments, the executive head of which is an individual appointed by the governor, the director, his confidential secretary, and his statutory assistant directors;

(8) In the case of a multimember board, commission, or committee, whether the members thereof are elected, appointed by the governor or other authority, serve ex officio, or are otherwise chosen:

(a) All members of such boards, commissions, or committees;

(b) If the members of the board, commission, or committee serve on a part time basis and there is a statutory executive officer: (i) The secretary of the board, commission, or committee; (ii) the chief executive officer of the board, commission, or committee; and (iii) the confidential secretary of the chief executive officer of the board, commission, or committee;

(c) If the members of the board, commission, or committee serve on a full time basis: (i) The chief executive officer or administrative officer as designated by the board, commission, or committee; and (ii) a confidential secretary to the chairman of the board, commission, or committee;

(d) If all members of the board, commission, or committee serve ex officio: (i) The chief executive officer; and (ii) the confidential secretary of such chief executive officer;

(9) The confidential secretaries and administrative assistants in the immediate offices of the elective officers of the state;

(10) Assistant attorneys general;

(11) Commissioned and enlisted personnel in the military service of the state;

(12) Inmate, student, part time, or temporary employees, and part time professional consultants, as defined by the state personnel board or the board having jurisdiction;

(13) The public printer or to any employees of or positions in the state printing plant;

(14) Officers and employees of the Washington state fruit commission;

(15) Officers and employees of the Washington state apple advertising commission;

(16) Officers and employees of the Washington state dairy products commission;

(17) Officers and employees of the Washington tree fruit research commission;

(18) Officers and employees of the Washington state beef commission;

(19) Officers and employees of any commission formed under the provisions of chapter 191, Laws of 1955, and chapter 15.66 RCW;

(20) Officers and employees of the state wheat commission formed under the provisions of chapter 87, Laws of 1961 (chapter 15.63 RCW);

(21) Officers and employees of agricultural commissions formed under the provisions of chapter 256, Laws of 1961 (chapter 15.65 RCW);

(22) Liquor vendors appointed by the Washington state liquor control board pursuant to RCW 66.08.050: PROVIDED, HOWEVER, That rules and regulations adopted by the state personnel board pursuant to RCW 41.06.150 regarding the basis for, and procedures to be followed for, the dismissal, suspension, or demotion of an employee, and appeals therefrom shall be fully applicable to liquor vendors except those part time agency vendors employed by the liquor control board when, in addition to the sale of liquor for the state, they sell goods, wares, merchandise, or services as a self-sustaining private retail business;

(23) Executive assistants for personnel administration and labor relations in all state agencies employing such executive assistants including but not limited to all departments, offices, commissions, committees, boards, or other bodies subject to the provisions of this chapter and this subsection shall prevail over any provision of law inconsistent herewith unless specific exception is made in such law;

(24) In addition to the exemptions specifically provided by this chapter, the state personnel board may provide for further exemptions pursuant to the following procedures. The governor or other appropriate elected official may submit requests for exemption to the personnel board stating the reasons for requesting such exemptions. The personnel board shall hold a public hearing, after proper notice, on requests submitted pursuant to this subsection. If the board determines that the position for which exemption is requested is one involving substantial responsibility for the formulation of basic agency or executive policy or one involving directing and controlling program operations of an agency or a major administrative division thereof, the personnel board shall grant the request and such determination shall be final. The total number of additional exemptions permitted under this subsection shall not exceed one hundred seventy-five for those agencies not directly under the authority of any elected public official other than the governor, and shall not exceed a total of twenty-five for all agencies under the authority of elected public officials other than the governor. The state personnel board shall report to each regular session of the legislature during an odd-numbered year all exemptions granted pursuant to the provisions of this subsection, together with the reasons for such exemptions.

The salary and fringe benefits of all positions presently or hereafter exempted except for the chief executive officer of each agency, full time members of boards and commissions, administrative assistants and confidential secretaries in the immediate office of an elected state official, and the personnel listed in subsections (10) through (21) of this section, shall be determined by the state personnel board.

Any person holding a classified position subject to the provisions of this chapter shall, when and if such position is subsequently exempted from the application of this chapter, be afforded the following rights within four years of the exemption: If such person previously held permanent status in another classified position, such person shall have a right of reversion to the highest class of position previously held, or to a position of similar nature and salary.

(25) Any classified employee having civil service status in a classified position who accepts an appointment in an exempt position shall have the right of reversion to the highest class of position previously held, or to a position of similar nature and salary, within four years from the date of appointment to the exempt position.

Sec. 2. Section 10, chapter 1, Laws of 1961 and RCW 41.06.100 are each amended to read as follows:

Any classified employee having civil service status in a position may take a temporary appointment in an exempt position, with the right to return to his regular position, or to a like position ~~((at the conclusion of such temporary))~~ within four years from the date of appointment.

Sec. 3. Section 13, chapter 1, Laws of 1961 and RCW 41.06.130 are each amended to read as follows:

The office of director of personnel is hereby established.

(1) Within ninety days after December 8, 1960, a director of personnel shall be appointed. The merit system director then serving under RCW 50.12.030, whose position is terminated by this chapter, may serve as director of personnel hereunder until a permanent director of personnel is appointed as herein provided, and may be appointed as director of personnel by the governor alone; or the governor may fill the position in the manner hereinafter provided for subsequent vacancies therein on the basis of competitive examination, in conformance with board rules for competitive examinations, for which examinations ~~((said))~~ the merit system director ((shall be)) is eligible.

(2) The director of personnel shall be appointed by the governor from a list of three names submitted to him by the board with its recommendations~~(;)~~. The names on such list shall be those of the three standing highest upon competitive examination conducted by a committee of three persons ((which shall be)) appointed by the board solely for that purpose whenever the position is vacant. Only persons with substantial experience in the field of personnel management ((shall be)) are eligible to take such examination.

(3) The director of personnel ~~((shall be))~~ is removable for cause by the governor with the approval of a majority of the board or by a majority of the board.

(4) The director of personnel shall direct and supervise all the department of personnel's administrative and technical activities in accordance with the provisions of this chapter and the rules and regulations approved and promulgated thereunder. He shall prepare for consideration by the board proposed rules and regulations required by this chapter. His salary shall be fixed by the board.

(5) The director of personnel may delegate to any agency the authority to perform administrative and technical personnel activities if the agency requests such authority and the director of personnel is satisfied that the agency has the personnel management capabilities to effectively perform the delegated activities. The director

of personnel shall prescribe standards and guidelines for the performance of delegated activities. If the director of personnel determines that an agency is not performing delegated activities within the prescribed standards and guidelines, the director shall withdraw the authority from the agency to perform such activities.

Sec. 4. Section 15, chapter 1, Laws of 1961 as last amended by section 18, chapter 311, Laws of 1981 and RCW 41.06.150 are each amended to read as follows:

The board shall adopt rules, consistent with the purposes and provisions of this chapter, as now or hereafter amended, and with the best standards of personnel administration, regarding the basis and procedures to be followed for:

- (1) The reduction, dismissal, suspension, or demotion of an employee;
- (2) Certification of names for vacancies, including departmental promotions, with the number of names equal to ~~((two))~~ four more names than there are vacancies to be filled, such names representing applicants rated highest on eligibility lists;
- (3) Examinations for all positions in the competitive and noncompetitive service;
- (4) Appointments, with preference given to promotional candidates;
- (5) Training and career development;
- (6) Probationary periods of ~~((six))~~ up to twelve months and rejections therein, depending on the job requirements of the class;
- (7) Transfers;
- (8) Sick leaves and vacations;
- (9) Hours of work;
- (10) Layoffs when necessary and subsequent reemployment, both according to seniority;
- (11) Determination of appropriate bargaining units within any agency: **PROVIDED**, That in making such determination the board shall consider the duties, skills, and working conditions of the employees, the history of collective bargaining by the employees and their bargaining representatives, the extent of organization among the employees, and the desires of the employees;
- (12) Certification and decertification of exclusive bargaining representatives: **PROVIDED**, That after certification of an exclusive bargaining representative and upon ~~((said))~~ the representative's request, the director shall hold an election among employees in a bargaining unit to determine by a majority whether to require as a condition of employment membership in the certified exclusive bargaining representative on or after the thirtieth day following the beginning of employment or the date of such election, whichever is the later, and the failure of an employee to comply with such a condition of employment ~~((shall))~~ constitutes cause for dismissal: **PROVIDED FURTHER**, That no more often than once in each twelve-month period after expiration of twelve months following the date of the original election in a bargaining unit and upon petition of thirty percent of the members of a bargaining unit the director shall hold an election to determine whether a majority wish to rescind such condition of employment: **PROVIDED FURTHER**, That for purposes of this clause, membership in the certified exclusive bargaining representative ~~((shall be))~~ is satisfied by the payment of monthly or other periodic dues and ~~((shall))~~ does not require payment of initiation, reinstatement, or any other fees or fines and ~~((shall))~~ includes full and complete membership rights: **AND PROVIDED FURTHER**, That in order to safeguard the right of nonassociation of public employees, based on bona fide religious tenets or teachings of a church or religious body of which such public employee is a member, such public employee shall pay to the union, for purposes within the program of the union as designated by such employee that would be in harmony with his individual conscience, an amount of money equivalent to regular union dues minus any included monthly premiums for union-

sponsored insurance programs, and such employee shall not be a member of the union but (~~shall be~~) is entitled to all the representation rights of a union member;

(13) Agreements between agencies and certified exclusive bargaining representatives providing for grievance procedures and collective negotiations on all personnel matters over which the appointing authority of the appropriate bargaining unit of such agency may lawfully exercise discretion;

(14) Written agreements may contain provisions for payroll deductions of employee organization dues upon authorization by the employee member and for the cancellation of such payroll deduction by the filing of a proper prior notice by the employee with the appointing authority and the employee organization: PROVIDED, That nothing contained herein (~~shall~~) permits or grants to any employee the right to strike or refuse to perform his official duties;

(15) Adoption and revision of a comprehensive classification plan for all positions in the classified service, based on investigation and analysis of the duties and responsibilities of each such position;

(16) Allocation and reallocation of positions within the classification plan;

(17) Adoption and revision of a state salary schedule to reflect the prevailing rates in Washington state private industries and other governmental units, such adoption and revision subject to approval by the director of financial management in accordance with the provisions of chapter 43.88 RCW;

(18) Increment increases within the series of steps for each pay grade based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service;

(19) Providing for veteran's preference as required by existing statutes, with recognition of preference in regard to layoffs and subsequent reemployment for veterans and their widows by giving such eligible veterans and their widows additional credit in computing their seniority by adding to their unbroken state service, as defined by the board, the veteran's service in the military not to exceed five years. For the purposes of this section, "veteran" means any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given: PROVIDED, HOWEVER, That the widow of a veteran (~~shall be~~) is entitled to the benefits of this section regardless of the veteran's length of active military service: PROVIDED FURTHER, That for the purposes of this section "veteran" (~~shall~~) does not include any person who has voluntarily retired with twenty or more years of active military service and whose military retirement pay is in excess of five hundred dollars per month;

(20) Permitting agency heads to delegate the authority to appoint, reduce, dismiss, suspend, or demote employees within their agencies if such agency heads do not have specific statutory authority to so delegate: PROVIDED, That the board may not authorize such delegation to any position lower than the head of a major subdivision of the agency.

Sec. 5. Section 6, chapter 152, Laws of 1977 ex. sess. and RCW 41.06.169 are each amended to read as follows:

After consultation with state agency heads, employee organizations, and other interested parties, the state personnel director shall develop standardized employee performance evaluation procedures and forms which shall be used by state agencies for the appraisal of employee job performance at least annually. These procedures shall include means whereby individual agencies may supplement the standardized

evaluation process with special performance factors peculiar to specific organizational needs. Performance evaluation procedures shall place primary emphasis on recording how well the employee has contributed to efficiency, effectiveness, and economy in fulfilling state agency and job objectives. A standardized performance evaluation procedure shall be instituted not later than July 1, 1978, for all employees. This section shall apply to both classified employees and employees who occupy exempt positions for which the board determines salaries.

NEW SECTION. Sec. 6. There is added to chapter 41.06 RCW a new section to read as follows:

No salary increase may be granted to any employee who occupies an exempt position for which the board determines the salary unless the employee has received the annual evaluation required under RCW 41.06.169 and such evaluation was satisfactory. This section shall apply to any form of salary increase, but shall not include fringe benefits.

NEW SECTION. Sec. 7. There is added to chapter 41.06 RCW a new section to read as follows:

(1) It is the policy of the state of Washington that, when conditions require reductions or layoffs in the workforce of any state agency, the state maintain those positions providing direct care or service to the public, clients, or residents of the state that are essential for their health and well-being, as well as maintain those positions maintaining the facilities and properties of the state.

(2) In furtherance of this policy, each agency head shall develop plans for implementing reductions or layoffs in the workforce. Plans shall identify those management and nonmanagement positions scheduled for reduction or layoff. Pursuant to these plans, reductions or layoffs in the nonmanagement workforce shall not result in a greater ratio of management to nonmanagement positions in the agency than existed immediately prior to the reductions or layoffs.

(3) All plans shall be submitted to the office of financial management. The director of financial management may grant exceptions to the requirements of subsections (1) and (2) of this section when the director finds that compliance would inordinately disrupt the delivery of services or maintenance of facilities and properties of the state.

(4) Whenever a reduction or layoff in workforce is required, each agency head shall prepare a list indicating the actual number of layoffs among management and nonmanagement positions. Each agency head shall also prepare a detailed organizational chart indicating all agency positions and their interrelationships. All lists and organizational charts shall be submitted to and reviewed by the office of financial management. On or before January 15, 1982, and each year thereafter, the office of financial management shall file a report with the committees on state government of the senate and the house of representatives. The report shall contain: (a) A listing of actual layoffs among management and nonmanagement positions by each agency; (b) the organizational chart of each agency; (c) recommendations for furthering the policy and requirements of this section; and (d) a listing indicating those instances where the director of financial management has granted exceptions under subsection (3) of this section.

Sec. 8. Section 4, chapter 36, Laws of 1969 ex. sess. as amended by section 1, chapter 94, Laws of 1977 ex. sess. and RCW 28B.16.040 are each amended to read as follows:

The following classifications, positions, and employees of institutions of higher education and related boards are hereby exempted from coverage of this chapter:

(1) Members of the governing board of each institution and related boards, all presidents, vice presidents and their confidential secretaries, administrative and personal assistants; deans, directors, and chairmen; academic personnel; and executive heads of major administrative or academic divisions employed by institutions of

higher education; and any employee of a community college district whose place of work is one which is physically located outside the state of Washington and who is employed pursuant to RCW 28B.50.092 and assigned to an educational program operating outside of the state of Washington.

(2) Student, part time, or temporary employees, and part time professional consultants, as defined by the higher education personnel board, employed by institutions of higher education and related boards.

(3) The director, his confidential secretary, assistant directors, and professional education employees of the state board for community college education.

(4) The personnel director of the higher education personnel board and his confidential secretary.

(5) The governing board of each institution, and related boards, may also exempt from this chapter, subject to the employees right of appeal to the higher education personnel board, classifications involving research activities, counseling of students, extension or continuing education activities, graphic arts or publications activities requiring prescribed academic preparation or special training, and principal assistants to executive heads of major administrative or academic divisions, as determined by the higher education personnel board: PROVIDED, That no nonacademic employee engaged in office, clerical, maintenance, or food and trade services may be exempted by the higher education personnel board under this provision.

(6) The salary and fringe benefits of all exempt positions, except for the presidents, vice presidents and academic personnel in subsection (1) of this section, part-time professional consultants in subsection (2) of this section, and the director under subsection (3) of this section, shall be determined by the higher education personnel board.

Sec. 9. Section 13, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.105 are each amended to read as follows:

After consultation with institution heads, employee organizations, and other interested parties, the board shall develop standardized employee performance evaluation procedures and forms which shall be used by institutions of higher learning for the appraisal of employee job performance at least annually. These procedures shall include means whereby individual institutions may supplement the standardized evaluation process with special performance factors peculiar to specific organizational needs. This evaluation procedure shall place primary emphasis on recording how well the employee has contributed to efficiency, effectiveness, and economy in fulfilling institution and job objectives. A standardized performance evaluation procedure shall be instituted not later than July 1, 1978, for all employees. This section applies to both classified employees and employees who occupy exempt positions for which the board determines salaries.

NEW SECTION. Sec. 10. There is added to chapter 28B.16 RCW a new section to read as follows:

No salary increase may be granted to any employee who occupies an exempt position for which the board determines the salary unless the employee has received the annual evaluation required under RCW 28B.16.105 and such evaluation was satisfactory. This section shall apply to any form of salary increase, but shall not include fringe benefits.

Sec. 11. Section 5, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.050 are each amended to read as follows:

Any employee having a classified service status in a position may take a temporary appointment in an exempt position, with the right to return to his regular position, or to a like position, (at the conclusion of such temporary appointment) within four years from the date of appointment to the exempt position.

Sec. 12. Section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 15, chapter 151, Laws of 1979 and RCW 28B.16.100 are each amended to read as follows:

The higher education personnel board shall adopt rules, consistent with the purposes and provisions of this chapter and with the best standards of personnel administration, regarding the basis and procedures to be followed for:

(1) The dismissal, suspension, or demotion of an employee, and appeals therefrom;

(2) Certification of names for vacancies, including promotions, with the number of names equal to ~~((two))~~ four more names than there are vacancies to be filled, such names representing applicants rated highest on eligibility lists;

(3) Examination for all positions in the competitive and noncompetitive service;

(4) Appointments, with preference given to promotional candidates and with provisions for inter-institutional mobility;

(5) Probationary periods of ~~((six))~~ up to twelve months and rejections therein, depending on the job requirements of the class;

(6) Transfers with provision for inter-institutional mobility;

(7) Sick leaves and vacations;

(8) Hours of work;

(9) Layoffs when necessary and subsequent reemployment, both according to seniority;

(10) Determination of appropriate bargaining units within any institution or related boards: PROVIDED, That in making such determination the board shall consider the duties, skills, and working conditions of the employees, the history of collective bargaining by the employees and their bargaining representatives, the extent of organization among the employees, and the desires of the employees;

(11) Certification and decertification of exclusive bargaining representatives: PROVIDED, That after certification of an exclusive bargaining representative and upon ~~((said))~~ the representative's request, the director shall hold an election among employees in a bargaining unit to determine by a majority whether to require as a condition of employment membership in the certified exclusive bargaining representative on or after the thirtieth day following the beginning of employment or the date of such election, whichever is the later, and the failure of an employee to comply with such condition of employment ~~((shall))~~ constitutes cause for dismissal: PROVIDED FURTHER, That no more often than once in each twelve-month period after expiration of twelve months following the date of the original election in a bargaining unit and upon petition of thirty percent of the members of a bargaining unit the director shall hold an election to determine whether a majority wish to rescind such condition of employment: PROVIDED FURTHER, That for purposes of this clause, membership in the certified exclusive bargaining representative ~~((shall be))~~ is satisfied by the payment of monthly or other periodic dues and ~~((shall))~~ does not require payment of initiation, reinstatement, or any other fees or fines and ~~((shall))~~ includes full and complete membership rights: AND PROVIDED FURTHER, That in order to safeguard the right of nonassociation of public employees, based on bona fide religious tenets or teachings of a church or religious body of which such public employee is a member, such public employee shall pay to the union, for purposes within the program of the union as designated by such employee that would be in harmony with his individual conscience, an amount of money equivalent to regular union dues minus any included monthly premiums for union-sponsored insurance programs, and such employee shall not be a member of the union but ~~((shall be))~~ is entitled to all the representation rights of a union member;

(12) Agreements between institutions or related boards and certified exclusive bargaining representatives providing for grievance procedures and collective negotiations on all personnel matters over which the institution or the related board may lawfully exercise discretion;

(13) Written agreements may contain provisions for payroll deductions of employee organization dues upon authorization by the employee member and for the cancellation of such payroll deduction by the filing of a proper prior notice by the employee with the institution and the employee organization: PROVIDED, That nothing contained herein (~~shall~~) permits or grants to any employee the right to strike or refuse to perform his official duties;

(14) Adoption and revision of comprehensive classification plans for all positions in the classified service, based on investigation and analysis of the duties and responsibilities of each such position;

(15) Allocation and reallocation of positions within the classification plan;

(16) Adoption and revision of salary schedules and compensation plans which reflect the prevailing rates in Washington state private industries and other governmental units for positions of a similar nature ((and which shall be competitive in the state or the locality in which the institution or related boards are located)), such adoption, revision, and implementation subject to approval as to availability of funds by the director of financial management in accordance with the provisions of chapter 43.88 RCW, and after consultation with the chief financial officer of each institution or related board for that institution or board, or in the case of community colleges, by the chief financial officer of the state board for community college education for the various community colleges;

(17) Training programs including in-service, promotional, and supervisory;

(18) Increment increases within the series of steps for each pay grade based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service; and

(19) Providing for veteran's preference as provided by existing statutes, with recognition of preference in regard to layoffs and subsequent reemployment for veterans and their widows by giving such eligible veterans and their widows additional credit in computing their seniority by adding to their unbroken higher education service, as defined by the board, the veteran's service in the military not to exceed five years of such service. For the purposes of this section, "veteran" means any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service, has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given: PROVIDED, HOWEVER, That the widow of a veteran (~~shall be~~) is entitled to the benefits of this section regardless of the veteran's length of active military service: PROVIDED FURTHER, That for the purposes of this section "veteran" (~~shall~~) does not include any person who has voluntarily retired with twenty or more years of active military service and whose military retirement pay is in excess of five hundred dollars per month.

Sec. 13. Section 9, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.101 are each amended to read as follows:

Rules adopted by the higher education personnel board shall provide for local administration and management by the institutions of higher education and related boards, subject to periodic audit and review by the board, of the following:

- (1) Appointment, promotion, and transfer of employees;
- (2) Dismissal, suspension, or demotion of an employee;

(3) Examinations for all positions in the competitive and noncompetitive service;

(4) Probationary periods of ((six)) up to twelve months and rejections therein;

(5) Sick leaves and vacations;

(6) Hours of work;

(7) Layoffs when necessary and subsequent reemployment;

(8) Allocation and reallocation of positions within the classification plans;

(9) Training programs; and

(10) Maintenance of personnel records.

NEW SECTION. Sec. 14. There is added to chapter 28B.16 RCW a new section to read as follows:

(1) It is the policy of the state of Washington that, when conditions require reductions or layoffs in the workforce of any institution of higher education or related board, the institution of higher education or related board maintain those positions providing direct care or service to the public, clients, or residents of the state that are essential, as well as maintain those positions maintaining the facilities and properties of the institution of higher education.

(2) In furtherance of this policy, each head of an institution of higher education or related board shall develop plans for implementing reductions or layoffs in the workforce. Board shall identify those management and nonmanagement positions scheduled for reduction or layoff. Pursuant to these plans, reductions or layoffs in the nonmanagement workforce shall not result in a greater ratio of management to nonmanagement positions in the agency than existed immediately prior to the reductions or layoffs.

(3) All plans shall be submitted to the office of financial management. The director of financial management may grant exceptions to the requirements of subsections (1) and (2) of this section when the director finds that compliance would inordinately disrupt the delivery of services or maintenance of facilities and properties of the institutions of higher education.

(4) Whenever a reduction or layoff in workforce is required, each head of an institution of higher education or related board shall prepare a list indicating the actual number of layoffs among management and nonmanagement positions. Each head of an institution of higher education or related board shall also prepare a detailed organizational chart indicating all positions and their interrelationships. All lists and organizational charts shall be submitted to and reviewed by the office of financial management. On or before January 15, 1982, and each year thereafter, the office of financial management shall file a report with the committees on state government of the senate and the house of representatives. The report shall contain: (a) A listing of actual layoffs among management and nonmanagement positions by each institution of higher education or related board; (b) the organizational chart of each institution of higher education or related board; (c) recommendations for furthering the policy and requirements of this section; and (d) a listing indicating those instances where the director of financial management has granted exceptions under subsection (3) of this section.

Sec. 15. Section 12, chapter 311, Laws of 1981 and RCW 41.64.110 are each amended to read as follows:

Hearings on such appeals shall be open to the public, except for cases in which the board determines there is substantial reason for not having an open hearing or in cases where the employee so requests, and shall be informal with technical rules of evidence not applying to the proceedings except the rules of privilege recognized by law. Both the employee and his or her appointing agency shall be notified reasonably in advance of the hearing and may select representatives of their choosing, present and cross-examine witnesses, and give evidence before the board. Members of the board or the executive secretary may, and shall at the request of either party, issue

subpoenas and subpoenas duces tecum. All testimony shall be on oath administered by a member of the board. The board shall certify to the superior court the facts of any refusals to obey a subpoena, take the oath, or testify. The court shall summarily hear the evidence on such refusal and, if the evidence warrants, punish such refusal in the same manner and to the same extent as for contempt committed before, or in connection with the proceedings of, the court. The board shall prepare an official record of the hearing, including all testimony, recorded manually or by mechanical device, and exhibits; but it may not be required to transcribe such record unless requested by the employee. If requested, the board shall furnish a complete transcript upon payment of a reasonable charge therefor. The employee (~~shall be reimbursed by the employing agency for the cost of a transcript used on appeal if the employee prevails before the court~~) shall be furnished with a complete transcript upon payment of a reasonable charge therefor, except for transcripts certified to the superior court on appeal as provided in RCW 41.64.130(3) (section 14(3), chapter 311, Laws of 1981). Payment of the cost of a transcript used on appeal shall await determination of the appeal and shall be made by the employing agency if the employee prevails.

NEW SECTION. Sec. 16. There is added to chapter 41.06 RCW a new section to read as follows:

No person who voluntarily terminates his employment relationship with a state agency shall thereafter have any preference to re-appointment, other than that which might result from the experience and skills, if any, gained during such prior employment.

NEW SECTION. Sec. 17. There is added to chapter 28B.16 RCW a new section to read as follows:

No person who voluntarily terminates his employment relationship with an institution of higher education shall thereafter have any preference to re-appointment, other than that which might result from the experience and skills, if any, gained during such prior employment.

NEW SECTION. Sec. 18.

The legislature hereby directs a comprehensive review of chapters 41.06 and 28B.16 RCW, the Washington state civil service and Higher Education Personnel Laws. The review shall be done in the following manner:

(1) A civil service review commission is hereby established;

(2) The commission shall be made up of eleven members. Four members shall be legislators, two legislative members shall be from the House of Representatives, one from each caucus, chosen by the Speaker of the House. Two legislative members shall be members of the Senate, one from each caucus, chosen by the President of the Senate. The remaining seven members shall be chosen by the Governor and shall include the following: one representative of a bargaining representative for state employees; one representative of a bargaining representative for higher education classified personnel; a representative from the Higher Education Personnel Board; a representative from the Department of Personnel; three members of the general public.

(3) The members of the commission shall choose their own chairman. The members shall serve without compensation; PROVIDED, That all members shall receive per diem and expenses for any commission business they shall perform. The commission may establish its own rules of operation and procedure.

(4) The commission shall undertake a review of the following issues;

(i) The underlying tenets of the civil service system including the need for such a system, the changes made in the system and the reason for such changes and whether the present system has and is continuing to accomplish its purposes;

(ii) Changes in the state civil service system proposed by any party and whether such changes have been effected in other jurisdictions and the consequences of such

changes. In determining the consequences the commission shall review the possible fiscal, productivity, morale, employment, termination, pension, and other impacts of any proposed change. The commission may review any other impact it finds appropriate.

(5) All state agencies and all private agencies, including the bargaining representatives for any state employee group, shall fully cooperate with the commission and provide all data and assistance as is required.

(6) The Washington Senate and House of Representatives shall jointly and equally share responsibility for staffing and expenses of the commission.

(7) The commission shall prepare and submit a report, including recommendations, no later than July 1, 1983. The commission shall cease to exist upon submission of its report."

NEW SECTION. Sec. 19. 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."

POINT OF INQUIRY

Senator Woody: "Thank you, Mr. President. Senator Hemstad, would you yield to a question, please?"

"Senator Hemstad, you said that with the amendments that we have now drafted, the bill is essentially a study, and I understand that we have had some discussion about a study of the performance aspect of the bill.

"My concern is with another portion of the bill and that is the portion of the bill that speaks to layoffs. In the present system, layoffs are made on the basis of seniority, and when people are rehired on the basis of seniority; so you really have a rule of one. As you get down to the point where your name is on the list, the next person up gets rehired.

"Now, with the bill in its form as I last saw it yesterday, that was changed to reemployment on the basis of seniority yes, but with the rule of five, so that there would be five names on the list and from those names one person would be selected for a rehire, and my problem with the section of the bill is that when you got to the point where there were no longer five names of people who had been laid off, to submit, then you start going to other lists to make up your five names, so you could have three names, let us say, from people who had been laid off and two names of people who had either transferred or people who were new applicants to state employment.

"Effectively, this would allow an agency personnel director or another agency person to freeze out from state employment, permanently, for political or personal reasons. Now the study aspects of the bill that you have spoken to in the amendments, do they . . . ?"

Senator Clarke: "Simply point of order. Is Senator Woody asking a question?"

Senator Woody: "I just asked it."

Senator Clarke: "The point of order is you are not asking a question, you are speaking, which is perfectly in order but I don't want the record to be cluttered up with a 10-minute exposition which purports to be a question."

Senator Woody: "Well, Mr. President, I am sorry, Senator Clarke, I honestly had a question to ask, but I felt that I should explain my problem. The question is with the amendments that we have now adopted. Is this particular problem also going to be an issue of study or is this an issue which has not been dealt with by the adoptive amendment? Thank you."

(No reply by Senator Hemstad.)

MOTION

On motion of Senator Ridder, Senator Lysen was excused.

Senator Ridder demanded a roll call and the demand was sustained.

Further debate ensued.

Senators Peterson, Clarke and Guess demanded the previous question and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senators Bottiger, Ridder, Talmadge, Vognild, Hurley and Wojahn.

ROLL CALL

The Secretary called the roll and the amendment to the amendment was not adopted by the following vote: Yeas, 22; nays, 25; excused, 2.

Voting yea: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, McDermott, Moore, Peterson, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—22.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—25.

Excused: Senators Lysen, Talley—2.

The motion by Senator Scott carried and the committee amendment, as amended, was adopted.

On motion of Senator Scott, the committee amendment to the title was adopted.

On motion of Senator Scott, the rules were suspended, Substitute House Bill No. 1226, 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 INFORMATION

Senator Charnley: "Senator Scott, on page 19 there is a little subsection here that caught my eye. It reads: '(3) The board shall adopt rules designed to insure that performance evaluations of employees do not result in unrealistic concentration in any performance rating category.' In your mind, does that mean that out of 30 employees in a division, two must be rated 'superior,' two must be rated 'inferior,' and then the others spread out on a Bell curve. Is this the intent of that, do you think the result will be a mandated Bell curve rating?"

Senator Scott: "No, I do not, Senator Charnley. The question of how to handle the upward skewing that occurs in most performance systems was debated at length. The House's language was 'undue concentration,' the language you have in the bill was a set of words suggested by Senator Pullen as we were drawing the other amendments. It means that the personnel boards, as in the case with the shaping of the system generally, will look and suggest to us, for review, language that will keep the great preponderance of employees from arriving at either end of the scale."

Debate ensued.

POINT OF INQUIRY

Senator Woody: "Senator Clarke, I am going to try one more time; and if Senator Hemstad is not able to answer my question, perhaps Senator Pullen or Senator Scott will. I would appreciate an answer.

"And my question essentially is, are the changes in the rehire procedures which I explained still incorporated in the bill or have they been modified by either Senator Pullen's or Senator Hemstad's amendment which we have adopted? Thank you."

Senator Hemstad: "Senator Woody, I believe that your question is answered in that that division is not affected by the study."

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1226, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 25; nays, 22; excused, 2.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—25.

Voting nay: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, McDermott, Moore, Peterson, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—22.

Excused: Senators Lysen, Talley—2.

SUBSTITUTE HOUSE BILL NO. 1226, 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 Clarke, the Senate commenced consideration of Second Substitute House Bill No. 124.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 124, by House Committee on Appropriations—General Government and Compensation (originally sponsored by Representatives Winsley, Addison, Wang, King (J.), Johnson, Granlund, McGinnis and Eberle):

Modifying provisions relating to public employment.

REPORT OF STANDING COMMITTEE

April 2, 1982.

SUBSTITUTE HOUSE BILL NO. 124, modifying provisions relating to public employment (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:

"NEW SECTION. Section 1. The legislature has determined it is in the best interest of the state to temporarily provide a special early retirement benefit which would enable certain employees to leave state service. It is the intent of the legislature that the resulting lower level of employment achieved through the utilization of this special early retirement be maintained by the agency or political subdivision for whom the retiring employee was employed.

PART A.

TEACHERS' RETIREMENT SYSTEM

NEW SECTION. Sec 2. "Eligible members" means members of the retirement system as established by chapter 41.32 RCW who are employed by an employer on the effective date of this act.

NEW SECTION. Sec. 3. (1) From the effective date of this act through November 30, 1982, eligible members of the retirement system may elect special early retirement, such retirement to be effective no later than January 1, 1983, under the following conditions:

Any eligible member who (a) has attained the age of fifty-five years, with at least five years creditable service, or (b) has at least twenty-five years creditable service, is eligible to retire, and receive a combined pension and annuity service retirement allowance which shall be equal to two percent of the member's average final compensation multiplied by the total years of creditable service established with the retirement system to a maximum of sixty percent of such average earnable compensation. All options available under RCW 41.32.498(4) shall be available for retirements under this section, subject to the appropriate actuarial adjustments.

(2) For the purposes of this section: (a) For eligible members who established membership in the retirement system on or before September 30, 1977, "earnable compensation" has the meaning set forth in RCW 41.32.010(11)(a); and "average final compensation" means the average earnable compensation for the member's two highest compensated consecutive years of service; (b) for eligible members who established membership in the retirement system on or after October 1, 1977, "earnable compensation" and "average final compensation" have the meanings set forth in RCW 41.32.010(11)(b) and 41.32.010(31), respectively.

NEW SECTION. Sec. 4. There is appropriated from the general fund to the teachers' retirement fund for the biennium ending June 30, 1983, the sum of one million three hundred thousand dollars, or so much thereof as may be necessary, to pay for the costs of the benefits provided under section 3 of this act.

NEW SECTION. Sec. 5. Sections 2 and 3 of this act are added to chapter 41.32 RCW, but, because of their temporary nature, shall not be codified.

PART B.

PUBLIC EMPLOYEES' RETIREMENT SYSTEM

NEW SECTION. Sec. 6. "Eligible members" means members of the retirement system as established by chapter 41.40 RCW who are employed by an employer on the effective date of this act.

NEW SECTION. Sec. 7. (1) From the effective date of this act through November 30, 1982, eligible members of the retirement system may elect special early retirement, such retirement to be effective no later than January 1, 1983, under the following conditions:

Any eligible member who (a) has attained the age of fifty-five years, with at least five years creditable service, or (b) has at least twenty-five years creditable service, is eligible to retire, and receive a membership service retirement allowance which shall be equal to two percent of the member's average final compensation for each year or fraction of a year of membership service to a maximum of sixty percent of such average final compensation. All options available under RCW 41.40.185(5) shall be available for retirements under this section, subject to the appropriate actuarial adjustments.

(2) For the purposes of this section: (a) For eligible members who established membership in the retirement system on or before September 30, 1977, "compensation earnable" and "average final compensation" have the meanings set forth in RCW 41.40.010(8)(a) and 41.40.010(15)(a), respectively; (b) for eligible members who established membership in the retirement system on or after October 1, 1977, "compensation earnable" and "average final compensation" have the meanings set forth in RCW 41.40.010(8)(b) and 41.40.010(15)(b), respectively.

Sec. 8. Section 128, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

No appropriations contained in this act shall be used for payment of contributions to the public employees' retirement system in excess of amounts necessary to

offset the cost of benefits earned during the 1981-83 biennium and the cost of benefits provided under section 7 of this 1982 act. The director of the department of retirement systems shall establish contribution rates pursuant to chapter 41.40 RCW consistent with this section: **PROVIDED**, That the director may establish contribution rates for political subdivisions which include an allowance for the cost of any post-retirement adjustment granted in the 1981 regular session of the legislature under chapter 41.40 RCW.

NEW SECTION. Sec. 9. Sections 6 and 7 of this act are added to chapter 41.40 RCW, but, because of their temporary nature, shall not be codified.

PART C.

WASHINGTON STATE PATROL RETIREMENT SYSTEM

NEW SECTION. Sec. 10. From the effective date of this act to November 30, 1982, any member who is employed as a commissioned officer on the effective date of this act and (1) has attained the age of fifty years, with at least five years creditable service, or (2) has at least twenty years of creditable service, is eligible to elect special early retirement and retire within the period from the effective date of this act and January 1, 1983. The benefit available upon special early retirement shall be determined and paid in accordance with RCW 43.43.120 through 43.43.320, except there shall be no actuarial reduction in the amount of the retirement allowance.

NEW SECTION. Sec. 11. Section 10 of this act is added as a new section to chapter 43.43 RCW, but, because of its temporary nature, shall not be codified.

PART D.

HIGHER EDUCATION RETIREMENT SYSTEMS

NEW SECTION. Sec. 12. From the effective date of this act to November 30, 1982, any faculty member or such other employee who (a) has attained the age of fifty-five years, with at least ten years creditable service, or (b) has at least twenty-five years of creditable service, is eligible to elect special early retirement and retire within the period from the effective date of this act and January 1, 1983. The retirement benefit shall be determined pursuant to RCW 28B.10.400, 28B.10.401, and 28B.10.423, without actuarial reduction on account of age.

NEW SECTION. Sec. 13. Section 12 of this act is added as a new section to chapter 28B.10 RCW but, because of its temporary nature, shall not be codified.

PART E.

MISCELLANEOUS PROVISIONS

NEW SECTION. Sec. 14. (1) Each elected state official shall ensure that each agency under the official's control does not hire any person after the effective date of this section unless:

(a) The total number of full-time equivalent employees for the agency during the month in which the hiring occurs does not exceed the greater of (i) the average monthly number of full-time equivalent employees, exclusive of persons employed under the federal comprehensive employment and training act, actually employed by the agency during the previous calendar year, or (ii) the total number of full-time equivalent employees, exclusive of persons employed under the federal comprehensive employment and training act, actually employed by the agency during the same month of the previous year: **PROVIDED**, That the elected state official is authorized to grant reasonable exceptions to this rule for an agency which did not exist during the same month of the previous year and for an agency which has had its statutory responsibilities substantially changed since such month; and

(b) On the date the hiring occurs, the total number of full-time equivalent employees hired after December 31, 1981, by all agencies under the elected state

official's control does not exceed fifty percent of the total number of full-time equivalent employees who left employment with those agencies after December 31, 1981: PROVIDED, That this subsection (1)(b) does not apply to: (i) The hiring of seasonal employees if the number of seasonal employees employed by the agency is consistent with the historical use of seasonal employees by the agency; (ii) the hiring of temporary employees if the number of temporary employees employed by the agency is consistent with the historical use of temporary employees by the agency; (iii) the department of corrections; and (iv) the hiring of four thousand critical employees of the department of social and health services, as identified by the governor; and

(c) The hiring complies with the policy set forth in section 15 of this act.

(2) For the purposes of this section, all state executive branch agencies are under the control of the governor unless they are headed by an elected state official other than the governor.

(3) This section does not prohibit an elected state official or the legislature from providing for the employment of state employees in excess of the number otherwise allowable under this section in order to address a state of emergency proclaimed under RCW 43.06.010 or a critical and emergent need proclaimed by the governor for the protection of the public health and safety. Any proclamation under this section shall be immediately transmitted to the financial committees of the legislature. Employment allowed under this subsection shall not last longer than the emergency conditions.

(4) As used in this section, "agency" has the meaning given in RCW 43.88.020, except that the system of community colleges shall be treated as one agency under this section.

(5) This section expires June 30, 1983.

NEW SECTION. Sec. 15. There is added to chapter 41.04 RCW a new section to read as follows:

(1) It is the policy of the state of Washington that, in hiring employees, state officials shall emphasize maintaining those positions with functions permitting the agency to carry out its legislatively mandated mission. As a general rule, hirings shall not disproportionately favor management positions. In furtherance of this policy, each agency shall submit to the office of financial management by January 15 and July 15 of each year a report indicating by title each position which became vacant and each position which was filled during the previous six months.

(2) The office of financial management shall study the implementation of the hiring policy provided in this section. This study shall be presented to the financial committees of the legislature by January 31 and July 31 of each year.

NEW SECTION. Sec. 16. (1) The office of financial management shall study the actual utilization of the special early retirement offered by this act, the subsequent replacement of those persons who utilized the special early retirement offered by this act, and the impact of early retirement on managerial efficiency and prerogatives. This study shall be presented to the financial committees of the legislature by December 31, 1983.

(2) The office of financial management shall study the implementation of the hiring limits provided in section 14 of this act. This study shall be presented to the financial committees of the legislature by July 31, 1982, January 31, 1983, and July 31, 1983.

NEW SECTION. Sec. 17. Part headings as used in this act do not constitute any part of the law.

NEW SECTION. Sec. 18. 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. 19. 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."

Signed by: Senators Scott, Chairman; Bauer, Bluechel, Craswell, Deccio, Gaspard, Haley, Hayner, Hughes, Jones, Lee, McDermott, Pullen, Zimmerman.

The bill was read the second time by sections.

Senator Scott moved adoption of the committee amendment.

On motion of Senator Hemstad, the following amendments by Senators Hemstad, Patterson, Zimmerman and McDermott to the committee amendment were considered and adopted simultaneously:

On page 7, line 12, after "agency" insert ", whose source of funding is from the state general fund,"

On page 7, line 16, after "employees" insert ", whose source of funding is from the state general fund,"

On page 7, line 22, after "employees" insert ", whose source of funding is from the state general fund,"

On page 8, line 3, after "employees" insert ", whose source of funding is from the state general fund,"

On page 8, line 8, after "employees" insert ", whose source of funding is from the state general fund,"

Senator Bottiger moved adoption of the following amendment to the committee amendment:

On page 8, line 23, strike "and (iv)" and insert "(iv) The community colleges of the state of Washington; and (v)"

Debate ensued.

The motion by Senator Bottiger failed and the amendment to the committee amendment was not adopted.

Senator McDermott moved adoption of the following amendments by Senators McDermott and Bottiger to the committee amendment be considered and adopted simultaneously:

On page 7, beginning on line 14, strike all of sections 14 and 15.

On page 10, line 10, strike "(1)" and on page 10, line 23, strike all of subsection (2)

Debate ensued.

Senator Talmadge demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendments by Senators McDermott and Bottiger to the committee amendment.

ROLL CALL

The Secretary called the roll and the amendments to the committee amendment were not adopted by the following vote: Yeas, 22; nays, 25; excused, 2.

Voting yea: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, McDermott, Moore, Peterson, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—22.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—25.

Excused: Senators Lysen, Talley—2.

The motion by Senator Scott carried and the committee amendment, as amended, was adopted.

POINT OF INQUIRY

Senator Rasmussen: "Senator Scott, two questions. One is, has the pension committee of the House and Senate reviewed this measure? The second question is I have heard that there are long-term costs associated with this measure, in the neighborhood of \$150,000,000. Has our actuary given you a figure on the long-term cost? And what is it?"

Senator Scott: "The answer to your first question, Senator Rasmussen, is, that every individual that I know of who either served on the public pension commission in the old days or who has been interested and serving currently on ways and means, including, well, without enumerating them, has looked at this bill and reviewed it thoroughly, was reviewed publicly twice in Senate ways and means and two more times in the same form in the House ways and means.

"Basically, the pension aspects of this bill are our bill.

"As to the costs, they will be somewhere between thirty and fifty-one million dollars, according to Norm Losk. On the twenty-five year funding basis the state pension systems' offset, in part, the fact that the individuals who ought to retire five years prior to the time they would normally have retired, will be getting their final average five years if they are on . . . in one of these reform systems, that is, came into them after '77, they will be getting that five-year average on a salaried basis that would be much lower than they would get were the five years from now to 1986 added in.

"The answer to your second question is that the cost is between thirty and fifty million dollars over the next twenty-five years, depending on how many people take advantage of the offer."

On motion of Senator Scott, the rules were suspended, Second Substitute House Bill No. 124, 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 Second Substitute House Bill No. 124, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 29; nays, 18; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Conner, Craswell, Fleming, Fuller, Gallagher, Gaspard, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Metcalf, Moore, Patterson, Peterson, Quigg, Scott, von Reichbauer, Zimmerman—29.

Voting nay: Senators Charnley, Clarke, Deccio, Goltz, McCaslin, McDermott, Newhouse, Pullen, Rasmussen, Ridder, Sellar, Shipoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—18.

Excused: Senators Lysen, Talley—2.

SECOND SUBSTITUTE HOUSE BILL NO. 124, 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 Clarke, the motion for reconsideration by Senator Scott on Engrossed Substitute House Joint Resolution No. 13 was ordered held for April 5, 1982.

On motion of Senator Clarke, the Committee on Constitutions and Elections was relieved from further consideration of Engrossed House Bill No. 829.

On motion of Senator Clarke, the rules were suspended and Engrossed House Bill No. 829 was placed on the second reading calendar for immediate consideration.

SECOND READING

ENGROSSED HOUSE BILL NO. 829, by Representatives Padden, Mitchell, James, Sprague, Stratton, Tupper and Patrick:

Restricting ability of local public officials to mail campaign material at public expense.

The bill was read the second time by sections.

On motion of Senator Pullen, the rules were suspended, Engrossed House Bill No. 829 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Peterson: "Senator Pullen, all of the House and twenty-five members of the Senate are up for election this year. I have customarily mailed out for the past several years, the senior citizens advisory booklet, and I am advised by the work room that they may not be able to get this out until some time in June or July.

"I have already put a great deal of work and effort into this, but this would preclude my corresponding with my constituents."

Senator Pullen: "Not at all. This applies only to local elected officials.

"This bill applied only to local elected officials; it does not apply to state legislators in this particular form. We had an earlier version that passed this body that would have encompassed state legislators. Even under that bill, however, there were exemptions that would have allowed you to mail out those senior citizen handbooks. However, you are not precluded either under the old version that passed this body or under this version, from mailing those out."

Senator Peterson: "What if I am a potential candidate?"

Senator Pullen: "If you are a, you mean if you were a potential candidate . . . ?"

Senator Peterson: "Suppose I elected to be a potential candidate to a local office?"

Senator Pullen: "No, you would have to be a local elected official."

Senator Peterson: "Already?"

Senator Pullen: "That is correct."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 829, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—47.

Excused: Senators Lysen, Talley—2.

ENGROSSED HOUSE BILL NO. 829, having received the 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 Clarke, the Senate returned to the fourth order of business.

MESSAGES FROM THE HOUSE

April 4, 1982.

Mr. President: The House has concurred in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 1109, and has passed the bill as amended by the Senate.

VITO T. CHIECHI, Chief Clerk.

April 4, 1982.

Mr. President: The House has passed; REENGROSSED SENATE BILL NO. 3609, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: SENATE BILL NO. 3609.

MOTION

At 9:30 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 10:00 p.m.

MOTION

At 10:02 p.m., on motion of Senator Clarke, the Senate adjourned until 10:00 a.m, Monday, April 5, 1982.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia, Monday, April 5, 1982.

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 Charnley, Deccio, Hurley, Pullen, Rasmussen, Sellar, Talley and Woody. On motion of Senator Fleming, Senators Hurley, Rasmussen and Talley were excused.

The Color Guard, consisting of Pages Kimberly Carmen and Tom Martin, presented the Colors. Reverend Charles Loyer former pastor of Westminster United Presbyterian Church of Olympia, offered the prayer.

Reverend Loyer is now retired.

MOTION

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

STATEMENT FOR THE JOURNAL

Mr. President and member of the Senate:

A number of issues have been raised regarding the confirmation of Eustace "Sonny" Vynne to be reappointed as a member of the Parks and Recreation Commission, and I would advise anyone who is interested in reviewing the documented records of this confirmation debate, to ask the Secretary of the Senate's office for the file on Mr. Vynne's honored record as a Commissioner.

He is a man who has been nominated to this position by three governors of differing parties and philosophies, but he was chosen because of his character, abilities and understanding of the issues of Parks and Recreation in the state of Washington.

Signed: Senator Peter von Reichbauer.

MESSAGES FROM THE HOUSE

April 4, 1982.

Mr. President: The Speaker has signed: SENATE BILL NO. 3609, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

April 5, 1982.

Mr. President: The House has concurred in the Senate amendments to SECOND SUBSTITUTE HOUSE BILL NO. 124, and has passed the bill as amended by the Senate.

VITO T. CHIECHI, Chief Clerk.

April 4, 1982.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 1099, and has passed the bill as amended by the Senate.

VITO T. CHIECHI, Chief Clerk.

April 4, 1982.

Mr. President: The Speaker has signed:
HOUSE BILL NO. 1099,
SUBSTITUTE HOUSE BILL NO. 1109, and the same are herewith
transmitted.

VITO T. CHIECHI, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:
HOUSE BILL NO. 1099,
SUBSTITUTE HOUSE BILL NO. 1109.

MESSAGE FROM THE HOUSE

April 4, 1982.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 4992 with the following amendment:

On page 1, line 13 strike "eleven" and insert "twelve", and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Newhouse, the Senate concurred in the House amendment to Engrossed Senate Bill No. 4992.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4992, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 41; absent or not voting, 5; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Jones, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Ridder, Scott, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Zimmerman—41.

Absent or not voting: Senators Charnley, Deccio, Pullen, Sellar, Woody—5.

Excused: Senators Hurley, Rasmussen, Talley—3.

ENGROSSED SENATE BILL NO. 4992, 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.

RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the Point of Order raised by Senator Shinpoch, the President finds that Engrossed Senate Bill No. 4640 is a measure which makes numerous changes to the state's pension laws, including removal of the requirement that Teacher Retirement System contributions be transferred quarterly from the general fund.

"The amendment proposed by the House of Representative incorporates the provisions of the bill as well as makes additional changes to the state's pension laws, including the subject of transfer of Teacher Retirement System contributions.

"The President therefore finds that the proposed amendment does not expand the scope and object of the bill and that the Point of Order is not well taken."

The House amendment to Engrossed Senate Bill No. 4640 was ruled in order.

MOTION

At 10:20 a.m., the Senate was declared to be at ease.
The President called the Senate to order at 11:45 a.m.

MOTION

At 11:46 a.m., on motion of Senator Clarke, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.

MOTION

At 2:02 p.m., on motion of Senator Clarke, the Senate recessed until 5:30 p.m.

EVENING SESSION

The President called the Senate to order at 5:30 p.m.

MOTION

On motion of Senator Clarke, the Senate commenced consideration of the House Message on Engrossed Substitute House Bill No. 1217.

MESSAGE FROM THE HOUSE

March 31, 1982.

Mr. President: The House refused to concur in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1217 and asks the Senate to recede therefrom, and said bill together with attached amendments is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Gould, the Senate insists on its amendments to Engrossed Substitute House Bill No. 1217 and once again asks the House to recede therefrom.

MOTION

On motion of Senator Clarke, the Senate returned to the third order of business.

MESSAGES FROM THE GOVERNOR

Office of the Governor, April 5, 1982.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.
LADIES AND GENTLEMEN:

I have the honor to advise you that on April 3, 1982 Governor Spellman approved the following Senate Bills entitled:

SENATE BILL NO. 4522: Relating to food fish and shellfish.

SENATE BILL NO. 4436: Relating to implied warranties.

SUBSTITUTE SENATE BILL NO. 4418: Relating to financial responsibility for all services and licensing activities of the department of social and health services.

SUBSTITUTE SENATE BILL NO. 4775: Relating to personal records and identification.

SENATE BILL NO. 4354: Relating to city and county health department employees.

SENATE BILL NO. 4956: Relating to historic ferries.

SUBSTITUTE SENATE BILL NO. 4859: Relating to retail sales and use taxes imposed by counties and cities.

SUBSTITUTE SENATE BILL NO. 4750: Relating to nonresident motorists violators.

SUBSTITUTE SENATE BILL NO. 4481: Relating to special purpose districts.

SENATE BILL NO. 4559: Relating to forms management.

SENATE BILL NO. 4544: Relating to motor vehicles.

SUBSTITUTE SENATE BILL NO. 4728: Relating to local government finances.

SENATE BILL NO. 4599: Relating to mosquito control districts taxes.

SENATE BILL NO. 4569: Relating to assets of domestic insurers.

SENATE BILL NO. 4425: Relating to port districts.

SENATE BILL NO. 4133: Relating to industrial insurance.

SUBSTITUTE SENATE BILL NO. 4824: Relating to aquatic lands.

SUBSTITUTE SENATE BILL NO. 3617: Relating to the associated student body program.

SENATE BILL NO. 4660: Relating to administrative rule making.

SUBSTITUTE SENATE BILL NO. 4663: Relating to timber sales.

Sincerely,
 MARILYN SHOWALTER
 Counsel to the Governor.

Office of the Governor, April 5, 1982.

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

LADIES AND GENTLEMEN:

I have the honor to advise you that on April 2, 1982 Governor Spellman approved the following Senate Bill entitled:

SUBSTITUTE SENATE BILL NO. 4216: Relating to unemployment compensation.

Sincerely,
 MARILYN SHOWALTER
 Counsel to the Governor.

MOTION

On motion of Senator Clarke, the Senate resumed consideration of the House Message on Engrossed Senate Bill No. 4640.

On April 4, 1982, Senator Scott moved the Senate concur in the House amendments to Engrossed Senate Bill No. 4640.

Senator Shinpoch raised a Point of Order on the House amendments.

On motion of Senator Clarke, at that time, the House Message together with the House amendments to Engrossed Senate Bill No. 4640, the Point of Order raised by Senator Shinpoch and the motion by Senator Scott that the Senate concur

in the House amendments was held from April 4, 1982 for a Ruling by the President. Earlier today, the President ruled that the House amendments did not expand the scope and object of the bill and the amendments were ruled to be in order.

The President declared the question before the Senate to be the motion by Senator Scott that the Senate concur in the House amendments to Engrossed Senate Bill No. 4640.

Debate ensued.

POINT OF INQUIRY

Senator Moore: "Senator Zimmerman, true, we are not borrowing, we are merely delaying; but where is the money coming from on that great day in the sky, down the road?"

Senator Zimmerman: "That is the big question, isn't it? It is going to come from the fact that we hope that we will be able to pass a tax through this body and through the other side of the building and it will also be of a nature that it will, the long term, reach out and do some of the things that we both know need to be done. But in the meantime, we have to do some immediate things to be able to financially meet some obligations before some of that tax revenue gets in.

"That is why this particular delay is because of a matter of cash flow between now and the time that some of those loans are due."

Senator Moore: "Thank you."

Further debate ensued.

Senator Talmadge demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator Scott that the Senate concur in the House amendments to Engrossed Senate Bill No. 4640.

ROLL CALL

The Secretary called the roll and the motion by Senator Scott carried by the following vote: Yeas, 25; nays, 21; absent or not voting, 1; excused, 2.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—25.

Voting nay: Senators Bauer, Bottiger, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—21.

Absent or not voting: Senator Charnley—1.

Excused: Senators Rasmussen, Talley—2.

MOTION

On motion of Senator Ridder, Senator Charnley was excused.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4640, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 25; nays, 21; excused, 3.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—25.

Voting nay: Senators Bauer, Bottiger, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—21.

Excused: Senators Charnley, Rasmussen, Talley—3.

ENGROSSED SENATE BILL NO. 4640, 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

April 5, 1982.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1226, and has passed the bill as amended by the Senate.

VITO T. CHIECHI, Chief Clerk.

April 5, 1982.

Mr. President: The Speaker has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 124,

SUBSTITUTE HOUSE BILL NO. 1226, and the same are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

April 4, 1982.

Mr. President: The Speaker has signed: HOUSE BILL NO. 829, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: SENATE BILL NO. 4992.

SIGNED BY THE PRESIDENT

The President signed:

SECOND SUBSTITUTE HOUSE BILL NO. 124,

HOUSE BILL NO. 829,

SUBSTITUTE HOUSE BILL NO. 1226.

MOTIONS

On motion of Senator Clarke, the Senate advanced to the sixth order of business.

On motion of Senator Clarke, the Senate commenced consideration of Engrossed Second Substitute House Bill No. 784.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 784, by House Committee on Appropriations—Education (originally sponsored by Committee on Appropriations—Education and Representative McDonald) (by Office of Financial Management request):

Making miscellaneous changes in law relating to institutions of higher education.

The bill was read the second time by sections.

Senator Goltz moved the following amendments be considered and adopted simultaneously:

On page 4, line 15, strike everything after "elsewhere." down to and including the period on line 18.

On page 5, line 18, after "Washington" insert the following: "The burden of proof that a student, parent or guardian has established a domicile in the state of Washington primarily for purposes other than educational lies with the student."

Debate ensued.

The motion by Senator Goltz failed and the amendments were not adopted on a rising vote.

On motion of Senator Goltz, an amendment to page 7, line 8, on the desk of the Secretary of the Senate was withdrawn.

Senator Goltz moved adoption of the following amendment:

On page 8, line 34, after "recovery", insert "or repayment"

Debate ensued.

Senator Goltz demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senator Goltz.

ROLL CALL

The Secretary called the roll and the amendment was not adopted by the following vote: Yeas, 22; nays, 24; absent or not voting, 1; excused, 2.

Voting yea: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—22.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—24.

Absent or not voting: Senator Pullen—1.

Excused: Senators Rasmussen, Talley—2.

On motion of Senator Goltz, amendments to page 12, line 5, page 25, line 6 and line 10, on the desk of the Secretary of the Senate were withdrawn.

Senator Metcalf moved adoption of the following amendment:

On page 8, line 18 insert a new paragraph to read as follows:

(3) Active-duty military personnel and the spouse and dependents of such military personnel

Debate ensued.

Senator Ridder demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senator Metcalf.

ROLL CALL

The Secretary called the roll and the amendment was not adopted by the following vote: Yeas, 22; nays, 24; absent or not voting, 1; excused, 2.

Voting yea: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hughes, Hurley, Lysen, McDermott, Metcalf, Moore, Peterson, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—22.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Newhouse, Patterson, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—24.

Absent or not voting: Senator Pullen—1.

Excused: Senators Rasmussen, Talley—2.

Senator Goltz moved adoption of the following amendment by Senators Goltz, Hansen and Williams:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 2, chapter 273, Laws of 1971 ex. sess. as amended by section 1, chapter 149, Laws of 1972 ex. sess. and RCW 28B.15.012 are each amended to read as follows:

Whenever used in chapter 28B.15 RCW:

(1) The term "institution" shall mean a public university, college, or community college within the state of Washington.

(2) The term "resident student" shall mean (a) a financially independent student who has had a domicile in the state of Washington for the period of one year immediately prior to the time of commencement of the first day of the semester or quarter for which he has registered at any institution and has in fact established a bona fide domicile in this state primarily for purposes other than educational ((purposes)) or (b) a dependent student, if one or both of his parents or legal guardians have maintained a bona fide domicile in the state of Washington for at least one year immediately prior to commencement of the semester or quarter for which the student has registered at any institution: PROVIDED, That a nonresident student enrolled for more than six hours per semester or quarter shall be considered as attending for primarily educational purposes ((only)), and for tuition and fee paying purposes only such period of enrollment shall not be counted toward the establishment of a bona fide domicile of one year in this state unless such student proves that he has in fact established a bona fide domicile in this state ((for)) primarily for purposes other than educational ((purposes)).

(3) The term "nonresident student" shall mean any student who does not qualify as a "resident student" under the provisions of RCW 28B.15.011 through 28B.15.014 and section 4 of this amendatory act, each as now or hereafter amended. A nonresident student shall include:

(a) A student attending an institution with the aid of financial assistance provided by another state or governmental unit or agency thereof, such nonresidency continuing for one year after the completion of such semester or quarter.

(b) A person who is not a citizen of the United States of America who does not have permanent resident status or does not hold "Refugee-Parolee" or "Conditional Entrant" status with the United States immigration and naturalization service and who does not also meet and comply with all the applicable requirements in RCW 28B.15.011 through 28B.15.014 and section 4 of this amendatory act, each as now or hereafter amended.

(4) The term "domicile" shall denote a person's true, fixed and permanent home and place of habitation. It is the place where he intends to remain, and to which he expects to return when he leaves without intending to establish a new domicile elsewhere.

(5) The term "~~((minor)) dependent~~" shall mean a ~~((male or female))~~ person who is ~~((not deemed and taken to be of full age and majority for all purposes under RCW 26.28.010, as now law or hereafter amended, the term "emancipated minor" shall mean a minor whose parents have entirely surrendered the right to the care, custody, and earnings of such minor and whose parents no longer in any way support or maintain such minor))~~ not financially independent. Factors to be considered in determining whether a person is financially independent shall be set forth in rules and regulations adopted by the council for postsecondary education and shall include, but not be limited to, the state and federal income tax returns of the person and/or his parents or legal guardian filed for the calendar year prior to the year in which application is made and such other evidence as the council may require.

(6) ~~((The term "qualified person" shall mean a person qualified to determine his own domicile. A person of full age and majority for all purposes under RCW~~

~~26.28.010, as now law or hereafter amended, or an emancipated minor is so qualified.~~

~~(7) The term "parent-qualified student" shall mean a student having a parent who has a domicile in the state of Washington but who does not have legal custody of the student because of divorce or legal separation.~~

~~(8)) The terms "he" or "his" shall apply to the female as well as the male sex unless the context clearly requires otherwise.~~

Sec. 2. Section 3, chapter 273, Laws of 1971 ex. sess. as last amended by section 1, chapter 15, Laws of 1979 ex. sess. and RCW 28B.15.013 are each amended to read as follows:

(1) The establishment of a new domicile in the state of Washington by a ~~((qualified))~~ person formerly domiciled in another state has occurred if such person is physically present in Washington primarily for purposes other than educational and can show satisfactory proof that such person is without a present intention to return to such other state or to acquire a domicile at some other place outside of Washington. The burden of proof that a student, parent or guardian has established a domicile in the state of Washington primarily for purposes other than educational lies with the student.

~~(2) ((Except as provided in subsection (3)(d) of this section, an unemancipated minor shall be classified as a resident student only if such minor's parents or legally appointed guardian or person having legal custody shall have established a domicile in this state.~~

~~(3)) Unless proven to the contrary it shall be presumed that:~~

~~(a) ((The domicile of an unemancipated minor is that of such minor's father, or if no father, that of such minor's mother, or if there is a legally appointed guardian, that of such guardian: PROVIDED, That if one parent has legal custody of the minor, the domicile of such minor shall be that of such parent except as otherwise provided in subsection (3)(d) of this section.~~

~~(b)) The domicile of any ((qualified)) person((, including a married woman,)) shall be determined according to the individual's situation and circumstances rather than by marital status or sex.~~

~~((c)) (b) A person does not lose a domicile in the state of Washington by reason of service in any state or country while a member of the civil or military service of this state or of the United States, nor while engaged in the navigation of the waters of this state or of the United States or of the high seas if that person returns to the state of Washington within one year of discharge from said service with the intent to be domiciled in the state of Washington; any resident dependent student who remains in this state when such student's parents, having theretofore been domiciled in this state for a period of one year immediately prior to the time of commencement of the first day of the semester or quarter for which the student has registered at any institution, remove from this state, shall be entitled to continued classification as a resident student so long as such student's attendance (except summer sessions) at an institution in this state is continuous.~~

~~((d) The establishment of a domicile in the state of Washington in accordance with the provisions of this section by the parent of a parent-qualified student shall entitle the student to classification as a resident student.~~

~~(4)) (3) To aid the institution in deciding whether a student, parent, legally appointed guardian or the person having legal custody of a student is domiciled in the state of Washington ((the following rules shall be applied)) primarily for purposes other than educational, the rules and regulations adopted by the council for postsecondary education shall include but not limited to the following:~~

~~(a) ((Failure to register or to pay state)) Registration or payment of Washington taxes or fees on a motor vehicle, mobile home, travel trailer, boat, or any other item of personal property owned or used by the person for which state~~

registration or the payment of a state tax or fee is required ~~((is conclusive))~~ will be a factor in considering evidence of ((a failure to establish)) the establishment of a Washington domicile.

~~(b) ((Attendance at an institution with the aid of financial assistance provided by another state or governmental unit or agency thereof is conclusive evidence of a failure to establish a Washington domicile.~~

~~(c))~~ Permanent full time employment in Washington by a person will be a factor in considering the establishment of a Washington domicile.

~~((d))~~ (c) Registration to vote ((for state officials)) in Washington will be a factor in considering the establishment of a Washington domicile.

~~((e) Any person not a citizen of the United States cannot establish a Washington domicile until such person is eligible and has applied for an immigration visa, unless such person is the dependent minor of a parent or legal guardian who is domiciled in Washington.~~

~~(5))~~ (4) After a student has registered at an institution such student's classification shall remain unchanged in the absence of satisfactory evidence to the contrary. A student wishing to apply for a change in classification shall reduce such evidence to writing and file it with the institution. In any case involving an application for a change from nonresident to resident status, the burden of proof shall rest with the applicant. Any change in classification, either nonresident to resident, or the reverse, shall be based upon written evidence maintained in the files of the institution and, if approved, shall take effect the semester or quarter such evidence was filed with the institution: PROVIDED, That applications for a change in classification shall be accepted up to the thirtieth calendar day following the first day of instruction of the quarter or semester for which application is made. Any determination of classification shall be considered a ruling on a contested case subject to court review only under procedures prescribed by chapter 28B.19 RCW.

Sec. 3. Section 4, chapter 273, Laws of 1971 ex. sess. and RCW 28B.15.014 are each amended to read as follows:

~~((Regardless of age or domicile, the following shall be entitled to classification as resident students))~~ The following nonresidents shall be exempted from paying the nonresident tuition and fee differential:

(1) Any person who resides in the state of Washington and who holds a graduate service appointment designated as such by a public institution of higher education or is employed for an academic department in support of the instructional or research programs involving not less than twenty hours per week during the term such person shall hold such appointment.

(2) Any ((person who is employed not less than twenty hours per week)) faculty member, classified staff member or administratively exempt employee holding not less than a half time appointment at an institution((, and the children and spouses of such persons)) who resides in the state of Washington, and the dependent children and spouse of such persons.

~~((2))~~ (3) Military personnel and federal employees residing or stationed in the state of Washington, and the children and spouses of such military personnel and federal employees.

~~((3))~~ (4) All veterans, as defined in RCW 41.04.005, whose final permanent duty station was in the state of Washington so long as such veteran is receiving federal vocational or educational benefits conferred by virtue of his military service.

NEW SECTION. Sec. 4. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW a new section to read as follows:

The council for postsecondary education, upon consideration of advice from representatives of the state's institutions with the advice of the attorney general,

shall adopt rules and regulations to be used by the state's institutions for determining a student's resident and nonresident status and for recovery or repayment of fees for improper classification of residency.

NEW SECTION. Sec. 5. The following acts or parts thereof are each hereby repealed:

- (1) Section 28B.10.200, chapter 223, Laws of 1969 ex. sess., section 1, chapter 62, Laws of 1973 and RCW 28B.10.200;
- (2) Section 28B.10.250, chapter 223, Laws of 1969 ex. sess., section 2, chapter 62, Laws of 1973 and RCW 28B.10.250;
- (3) Section 28B.10.255, chapter 223, Laws of 1969 ex. sess., section 3, chapter 68, Laws of 1974 ex. sess. and RCW 28B.10.255;
- (4) Section 28B.10.260, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.260;
- (5) Section 9, chapter 59, Laws of 1970 ex. sess., section 13, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.523;
- (6) Section 10, chapter 59, Laws of 1970 ex. sess., section 14, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.525;
- (7) Section 11, chapter 279, Laws of 1971 ex. sess., section 39, chapter 169, Laws of 1977 ex. sess. and RCW 28B.15.530;
- (8) Section 1, chapter 265, Laws of 1977 ex. sess. and RCW 28B.15.550;
- (9) Section 2, chapter 265, Laws of 1977 ex. sess. and RCW 28B.15.551;
- (10) Section 3, chapter 265, Laws of 1977 ex. sess. and RCW 28B.15.552;
- (11) Section 1, chapter 155, Laws of 1977 ex. sess. and RCW 28B.15.553;
- (12) Section 3, chapter 155, Laws of 1977 ex. sess. and RCW 28B.15.554;
- (13) Section 1, chapter 19, Laws of 1979 ex. sess. and RCW 28B.15.557;
- (14) Section 13, chapter 322, Laws of 1977 ex. sess. and RCW 28B.15.710;
- (15) Section 2, chapter 262, Laws of 1979 ex. sess. and RCW 28B.15.742; and
- (16) Section 4, chapter 262, Laws of 1979 ex. sess. and RCW 28B.15.744.

Sec. 6. Section 28B.10.215, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 68, Laws of 1974 ex. sess. and RCW 28B.10.215 are each amended to read as follows:

There is allocated to each and every blind student attending any institution of higher education within the state a sum not to exceed two hundred dollars per quarter, or so much thereof as may be necessary in the opinion of the council (~~(on higher)~~) for postsecondary education in the state of Washington, to provide said blind student with readers, books, recordings, recorders, or other means of reproducing and imparting ideas, while attending said institution of higher education: **PROVIDED**, That (~~(no blind student shall be charged any tuition or laboratory fee while attending any such state institution and said institution shall notify the council that it will waive tuition and laboratory fees for said blind student. The)~~) said allocation shall be made out of any moneys in the general fund not otherwise appropriated.

Sec. 7. Section 28B.10.220, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 68, Laws of 1974 ex. sess. and RCW 28B.10.220 are each amended to read as follows:

All blind student assistance shall be distributed under the supervision of the council (~~(on higher)~~) for postsecondary education in the state of Washington. The moneys or any part thereof allocated in the manner referred to in RCW 28B.10.215 shall, for furnishing said books or equipment or supplying said services, be paid by said council directly to the state institution of higher education, directly to such blind student, heretofore mentioned, or to his parents, guardian, or some adult person, if the blind student is a minor, designated by said blind student to act as trustee of said funds, as shall be determined by the council.

The council shall have power to prescribe and enforce all rules and regulations necessary to carry out the provisions of this section and RCW 28B.10.215.

Sec. 8. Section 29, chapter 261, Laws of 1969 ex. sess. as last amended by section 1, chapter 148, Laws of 1979 ex. sess. and RCW 28B.15.520 are each amended to read as follows:

Notwithstanding any other provision of this chapter or chapter 28B.50 RCW as now or hereafter amended boards of trustees of the various community colleges shall waive general tuition fees, operating fees, and services and activities fees for students nineteen years of age or older who are eligible for resident tuition and fee rates as defined in sections 1 through 4 of this amendatory act and who enroll in a course of study or program which will enable them to finish their high school education and obtain a high school diploma or certificate, and the various community college boards may waive the general tuition, operating and services and activities fees for children after the age of nineteen years of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state.

Sec. 9. Section 1, chapter 262, Laws of 1979 ex. sess. as amended by section 1, chapter 62, Laws of 1980 and RCW 28B.15.740 are each amended to read as follows:

(1) The boards of trustees or regents of each of the state's regional universities, The Evergreen State College, or state universities, and the various community colleges, consistent with regulations and procedures established by the state board for community college education, may waive, in whole or in part, tuition, operating, and services and activities fees subject to the limitations set forth in subsection (2).

(2) The total dollar amount of tuition and fee waivers awarded by any state university, regional university, or state college, shall not exceed four percent, and for the community colleges considered as a whole, such amount shall not exceed three percent of an amount determined by estimating the total collections from tuition, operating, and services and activities fees had no such waivers been made and deducting the portion of that total amount which is attributable to the difference between resident and nonresident fees: PROVIDED, That at least three-fourths of the dollars waived shall be for needy ((or disadvantaged)) students ((under the program authorized by RCW 28B.15.530)) as defined in RCW 28B.10.802 and rules of the council for postsecondary education implementing the same who are eligible for resident tuition and fee rates pursuant to sections 1 through 4 of this amendatory act: PROVIDED FURTHER, That the remainder of the dollars waived, not to exceed one-fourth of the total, may be applied to other students at the discretion of the board of trustees or regents, except on the basis of participation in intercollegiate athletic programs.

~~((2))~~ The total dollar amount of tuition and fee waivers awarded by all of the community colleges considered as a whole, shall not exceed three percent of an amount determined by estimating the total collections from tuition, operating, and services and activities fees had no such waivers been made and deducting the portion of that total amount which is attributable to the difference between resident and nonresident fees:

(3) ~~The limitations on total tuition and fee waivers provided in subsections (1) and (2) of this section shall apply only to the following programs:~~

(a) ~~Waivers for needy or disadvantaged students as authorized by RCW 28B.15.530;~~

(b) ~~Scholarships or waivers for foreign students as authorized by RCW 28B.10.200 and in RCW 28B.15.742. PROVIDED, That awards which are a part of a reciprocal placement program based on contracts with institutions in foreign countries shall be exempt from the limitation in subsection (1) of this section, and~~

(c) ~~Tuition and fee waiver programs authorized by RCW 28B.15.742 and 28B.15.744.~~)

Sec. 10. Section 8, chapter 257, Laws of 1981 and RCW 28B.15.502 are each amended to read as follows:

General tuition fees, operating fees and services and activities fees at each community college other than at summer quarters shall be as follows: PROVIDED, That increases in tuition and fee rates for the 1981 summer session shall reflect the increases set forth below for the 1981-82 academic year:

(1) For full time resident students, the total of general tuition and operating fees for the 1981-82 academic year shall be four hundred six dollars and fifty cents, and for the 1982-83 academic year shall be four hundred fifty-four dollars and fifty cents, and thereafter such fees shall be twenty-three percent of the per student educational costs at the community colleges computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the general tuition fee for each academic year shall be one hundred and twenty-seven dollars and fifty cents.

(2) For full time nonresident students, the total of general tuition and operating fees for the 1981-82 academic year shall be one thousand seven hundred sixty-five dollars and fifty cents, and for the 1982-83 academic year shall be one thousand nine hundred seventy-two dollars and fifty cents, and thereafter such fees shall be one hundred percent of the per student educational costs at the community colleges computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the general tuition fee for each academic year shall be four hundred and three dollars and fifty cents.

(3) The boards of trustees of each of the state community colleges shall charge and collect equally from each of the students registering at the particular institution and included in subsections (1) and (2) hereof a services and activities fee which for each year of the 1981-83 biennium shall not exceed sixty-four dollars and fifty cents. In subsequent biennia the board of trustees may increase the existing fee, consistent with budgeting procedures set forth in RCW 28B.15.045, by a percentage not to exceed the percentage increase in tuition and operating fees authorized in subsection (1) above: PROVIDED, That such percentage increase shall not apply to that portion of the services and activities fee previously committed to the repayment of bonded debt. The services and activities fee committee provided for in RCW 28B.15.045 may initiate a request to the governing board for a fee increase.

(4) General tuition, operating fees and services and activities fees consistent with the above schedule will be fixed by the state board for community colleges for summer school students.

The board of trustees shall charge such fees for ungraded courses, noncredit courses, community services courses, and self-supporting short courses as it, in its discretion, may determine, not inconsistent with the rules and regulations of the state board for community college education.

Sec. 11. Section 2, chapter 279, Laws of 1971 ex. sess. as last amended by section 1, chapter 257, Laws of 1981 and RCW 28B.15.031 are each amended to read as follows:

The term "operating fees" as used in this chapter shall include the fees, other than general tuition fees, charged all students registering at the state's colleges and universities but shall not include fees for short courses, self-supporting degree credit programs and courses, marine station work, experimental station work, correspondence or extension courses, and individual instruction and student deposits or rentals, disciplinary and library fines, which colleges and universities shall have the right to impose, laboratory, gymnasium, health, and student activity fees, or fees, charges, rentals, and other income derived from any or all revenue producing lands, buildings and facilities of the colleges or universities heretofore or hereafter acquired, constructed or installed, including but not limited to income from rooms, dormitories,

dining rooms, hospitals, infirmaries, housing or student activity buildings, vehicular parking facilities, land, or the appurtenances thereon, or such other special fees as may be established by any college or university board of trustees or regents from time to time. All moneys received as operating fees at any institution of higher education shall be transmitted to the state treasurer within thirty-five days of receipt to be deposited in the state general fund: ~~PROVIDED, ((That required matching moneys for federal and state financial aid programs may be exempt from such deposit with approval of the director of financial management. PROVIDED FURTHER,))~~ That two and one-half percent of moneys received as operating fees be exempt from such deposit and be retained by the institutions for the purposes of RCW 28B.15.820.

Sec. 12. Section 9, chapter 257, Laws of 1981 and RCW 28B.15.820 are each amended to read as follows:

(1) Each institution of higher education shall deposit two and one-half percent of revenues collected from tuition, operating, and services and activities fees in an institutional long-term loan fund which is hereby created and which shall be held locally. Moneys in such fund shall be used to make guaranteed loans to eligible students.

(2) An "eligible student" for the purposes of this section is a student registered for at least six credit hours or the equivalent, who is ~~((a "resident student" as defined in RCW 28B.15.012))~~ eligible for resident tuition and fee rates as defined in sections 1 through 4 of this amendatory act, and who is a "needy student" as defined in RCW 28B.10.802.

(3) The amount of the loans made under subsection (1) of this section shall not exceed the demonstrated financial need of the student. Each institution shall establish loan terms and conditions which shall be consistent with the terms of the guaranteed loan program established by 20 U.S. Code Section 1071 et. seq., as now or hereafter amended. All loans made shall be guaranteed by the Washington student loan guaranty association or its successor agency. Institutions are hereby granted full authority to operate as an eligible lender under the guaranteed loan program.

(4) Each institution is responsible for collection of loans made under subsection (1) of this section and shall exercise due diligence in such collection, maintaining all necessary records to insure that maximum repayments are made. Institutions shall cooperate with other lenders and the Washington student loan guaranty association, or its successor agency, in the coordinated collection of guaranteed loans, and shall assure that the guarantability of the loans is not violated. Collection and servicing of loans under subsection (1) of this section shall be performed by entities approved for such servicing by the Washington student loan guaranty association or its successor agency: **PROVIDED**, That institutions be permitted to perform such servicing if specifically recognized to do so by the Washington student loan guaranty association or its successor agency. Collection and servicing of loans made by community colleges under subsection (1) of this section shall be coordinated by the state board for community college education and shall be conducted under procedures adopted by such state board.

(5) Receipts from payment of interest or principle or any other subsidies to which institutions as lenders are entitled, which are paid by or on behalf of borrowers of funds under subsection (1) of this section, shall be deposited in each institution's general local fund and shall be used to cover the costs of making the loans under subsection (1) of this section and maintaining necessary records and making collections under subsection (4) of this section: **PROVIDED**, That such costs shall not exceed five percent of aggregate outstanding loan principle. Institutions shall maintain accurate records of such costs, and all receipts beyond those necessary to pay such costs, shall be used for the support of the institution's operating budget.

(6) The boards of regents of the state universities, the boards of trustees of the regional universities and The Evergreen State College, and the state board for community college education, on behalf of the community colleges, shall each adopt necessary rules and regulations to implement this section.

(7) Lending activities under this section shall be directed toward students who would not normally have access to educational loans from private financial institutions in Washington state, and maximum use shall be made of secondary markets in the support of loan consolidation.

(8) Short-term interim loans, not to exceed one hundred twenty days, may be made from the institutional long-term loan fund to students eligible for guaranteed student loans and whose receipt of such loans is pending. Such short-term loans shall not be subject to the guarantee restrictions or the constraints of federal law imposed by subsection (3) of this section. No such loan shall be made to any student who is known by the institution to be in default or delinquent in the payment of any outstanding student loan.

NEW SECTION. Sec. 13. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW a new section to read as follows:

Notwithstanding the provisions of RCW 28B.15.031 or 28B.15.820, for the purpose of assisting the various institutions of higher education in meeting emergency financial problems, the institutions are directed to transfer amounts equal to the fiscal 1982 deposit of funds from the institutional loan fund established in RCW 28B.15.820 to their respective local general funds.

Sec. 14. Section 1, chapter 269, Laws of 1969 ex. sess. and RCW 41.04.005 are each amended to read as follows:

As used in RCW ((~~28.76.560, 28.77.070, 28.80.060, 28.81.084, 28B.10.290,~~) 28B.15.380, 28B.40.361, 41.04.005, 41.04.010, 41.16.220, and 41.20.050 "veteran" includes every person, who at the time he seeks the benefits of RCW ((~~28.76.560, 28.77.070, 28.80.060, 28.81.084, 28B.10.290,~~) 28B.15.380, 28B.40.361, 41.04.005, 41.04.010, 41.16.220 and 41.20.050, has served in any branch of the armed forces of the United States during:

(1) Any period of war and such "period of war" shall include World War I, World War II, the Korean conflict, the Viet Nam era, and the period beginning on the date of any future declaration of war by the congress and ending on the date prescribed by presidential proclamation or concurrent resolution of the congress. The said "Viet Nam era" shall mean the period beginning August 5, 1964, and ending on such date as shall thereafter be determined by presidential proclamation or concurrent resolution of the congress; and in addition to this subsection, who, upon termination of said service has

(2) Received an honorable discharge; or

(3) Received a discharge for physical reasons with an honorable record; or

(4) Been released from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given.

NEW SECTION. Sec. 15. (1) Up to \$1,076,000 may be used by the University of Washington from program 04 and 08 sources of general fund-state moneys under section 84, chapter 340, Laws of 1981 as amended by chapter 14, Laws of 1981 2nd ex. sess., and by chapter ... (Engrossed Substitute Senate Bill No. 4369), Laws of 1982 1st ex. sess., to supplement the stipends of teaching assistants, research assistants and medical residents.

(2) Up to \$649,000 may be used by Washington State University from program 04 and 08 sources of general fund-state moneys under section 85, chapter 340, Laws of 1981 as amended by chapter 14, Laws of 1981 2nd ex. sess., and by chapter ... (Engrossed Substitute Senate Bill No. 4369), Laws of 1982 1st ex. sess., to supplement the stipends of teaching assistants and research assistants.

(3) The provisions of this section shall expire on June 30, 1983.

NEW SECTION. Sec. 16. Five hundred fifty thousand dollars from the state general fund is appropriated to the council for postsecondary education to be used to supplement the state financial aid programs authorized under RCW 28B.80.240.

NEW SECTION. Sec. 17. If any provision of this 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. 18. Sections 12 and 13 of this amendatory 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. All other sections of this amendatory act shall take effect on June 1, 1982."

Debate ensued.

Senator McDermott demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senators Goltz, Hansen and Williams.

ROLL CALL

The Secretary called the roll and the amendment was not adopted by the following vote: Yeas, 22; nays, 24; absent or not voting, 1; excused, 2.

Voting yea: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—22.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—24.

Absent or not voting: Senator Pullen—1.

Excused: Senators Rasmussen, Talley—2.

Senator Wojahn moved adoption of the following amendment:

On page 10, beginning on line 1, strike all material down through "28B.15-.744." on line 2.

Debate ensued.

The motion by Senator Wojahn failed and the amendment was not adopted on a rising vote.

On motion of Senator Scott, the rules were suspended, Engrossed Second Substitute House Bill No. 784, 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 Ridder: "Thank you, Mr. President. Senator Scott, could you yield?"

"You mentioned earlier in response to Senator McDermott, that if we were to borrow from the TRS we would be paying that back with interest. My assumption is that you meant there is a provision for it in the bill that passed, but there is nothing in the budget for the payment of that interest. Is that not correct?"

Senator Scott: "That is correct. But there will have to be, if there is a slide, and the slide would be minimal, the total number of monies available under that bill is about \$117,000,000. In the 'worst-case' scenario, should either the sales tax and 2% surcharge or the state surcharge which we considered Friday night and will have to consider again soon, be passed.

"In the month of October of this year would be a minus \$40,000,000 and only a small fraction of that money would be used. If it is decided as a result of the inadequate cash flow due to whatever revenue package we agree upon, there will have to be an adjustment within OFM to take care of that interest payment, but it is mandated by the bill."

Senator Ridder: "Thank you, except that I would say if students who are going to be affected by this bill should not plan in advance for the interest that they are going to have to pay on whatever they borrow. They, essentially, would be in a borrowing—themselves—out—of—debt situation that we see here. I think that what you are saying, essentially, is that there are enough wealthy individuals who can still afford to go to school and you are not taking into account the fact that the unemployment situation in this state is now well over a quarter million people. There are families in which there are not going to be sufficient funds to allow youngsters to go to school and I think it is wrong to do that."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 784, and the bill passed the Senate by the following vote: Yeas, 26; nays, 20; absent or not voting, 1; excused, 2.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Moore, Newhouse, Patterson, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—26.

Voting nay: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hughes, Hurley, Lysen, McDermott, Peterson, Ridder, Shipoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—20.

Absent or not voting: Senator Pullen—1.

Excused: Senators Rasmussen, Talley—2.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 784, having received the 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 7:50 p.m., on motion of Senator Clarke, the Senate recessed until 9:00 p.m.

SECOND EVENING SESSION

The President called the Senate to order at 9:00 p.m.

MOTION

At 9:13 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 9:40 p.m.

MOTION

On motion of Senator Clarke, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

April 5, 1982.

Mr. President: The Speaker has signed: SENATE BILL NO. 4992, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MESSAGE FROM THE HOUSE

April 4, 1982.

Mr. President: The House has adopted the report of Conference Committee on HOUSE BILL NO. 600 and has granted said committee the powers of Free Conference.

VITO T. CHIECHI, Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

April 5, 1982.

Mr. Speaker:

Mr. President:

We of your Free Conference Committee, to who was referred HOUSE BILL 600, as amended by the Senate, making various changes in the criminal laws have had the same under consideration, and we recommend that the Senate recede from its amendment and that the following language be adopted:

Strike everything after the enacting clause, and insert the following:

"Section 1. Section 1, chapter 175, Laws of 1969 ex. sess. as amended by section 1, chapter 258, Laws of 1981 and RCW 9.41.025 are each amended to read as follows:

Any person who shall commit or attempt to commit any felony, including but not limited to assault in the first degree, rape in the first degree, burglary in the first degree, robbery in the first degree, riot, or any other felony which includes as an element of the crime the fact that the accused was armed with a firearm, or any misdemeanor or gross misdemeanor categorized herein as inherently dangerous, while armed with, or in the possession of any firearm, shall upon conviction, in addition to the penalty provided by statute for the crime committed without use or possession of a firearm, be imprisoned as herein provided:

(1) For the first offense the court shall impose a sentence of not less than five years, which sentence shall not be suspended or deferred;

(2) For a second offense, or if, in the case of a first conviction of violation of any provision of this section, the offender shall previously have been convicted of violation of the laws of the United States or of any other state, territory, or district relating to the use or possession of a firearm while committing or attempting to commit a crime, the offender shall be imprisoned for not less than seven and one-half years, which sentence shall not be suspended or deferred;

(3) For a third or subsequent offense, or if the offender shall previously have been convicted two or more times in the aggregate of any violation of the law of the United States or of any other state, territory, or district relating to the use or possession of a firearm while committing or attempting to commit a crime, the offender shall be imprisoned for not less than fifteen years, which sentence shall not be suspended or deferred;

(4) Misdemeanors or gross misdemeanors categorized as "inherently dangerous" as the term is used in this statute means any of the following crimes or an attempt to commit any of the same: Simple assault, coercion, vehicle prowling, escape in the third degree, obstructing a public servant, theft in the third degree, resisting arrest, and communication with a minor for immoral purposes.

(5) If any person shall resist apprehension or arrest by firing upon a law enforcement officer, such person shall in addition to the penalty provided by statute for resisting arrest, be guilty of a felony and punished by imprisonment for not less than ten years, which sentence shall not be suspended or deferred.

Sec. 2. Section 1, chapter 64, Laws of 1933 and RCW 9.41.190 are each amended to read as follows:

~~((That))~~ It ~~((shall be))~~ is unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or have in possession~~(;)~~ or under control, any machine gun, or any part thereof capable of use or assembling or repairing any machine gun: PROVIDED, HOWEVER, That such limitation shall not apply to any peace officer in the discharge of official duty, or to any officer or member of the armed forces of the United States or the state of Washington: PROVIDED FURTHER, That this section does not apply to a person, including an employee of such person, who or which is exempt from or licensed under the National Firearms Act (26 U.S.C. section 5801 et seq.), and engaged in the production, manufacture, or testing of weapons or equipment to be used or purchased by the armed forces of the United States, and having a United States government industrial security clearance.

Sec. 3. Section 5, chapter 172, Laws of 1935 as amended by section 4, chapter 124, Laws of 1961 and RCW 9.41.050 are each amended to read as follows:

~~((No person shall carry a pistol in any vehicle unless it is unloaded or carry a pistol concealed on his person, except in his place of abode or fixed place of business, without a license therefor as hereinafter provided))~~ (1) Except in the person's place of abode or fixed place of business, a person shall not carry a pistol concealed on his or her person without a license to carry a concealed weapon.

(2) A person who is in possession of an unloaded pistol shall not leave the unloaded pistol in a vehicle unless the unloaded pistol is locked within the vehicle and concealed from view from outside the vehicle.

(3) A person shall not carry or place a loaded pistol in any vehicle unless the person has a license to carry a concealed weapon and: (a) The pistol is on the licensee's person, (b) the licensee is within the vehicle at all times that the pistol is there, or (c) the licensee is away from the vehicle and the pistol is locked within the vehicle and concealed from view from outside the vehicle.

NEW SECTION. Sec. 4. There is added to chapter 9.41 RCW a new section to read as follows:

(1) It is unlawful for an elementary or secondary school student under the age of twenty-one knowingly to carry onto public or private elementary or secondary school premises:

- (a) Any firearm; or
- (b) Any dangerous weapon as defined in RCW 9.41.250; or
- (c) Any device commonly known as "nun-chu-ka sticks", consisting of two or more lengths of wood, metal, plastic, or similar substance connected with wire, rope, or other means; or
- (d) Any device, commonly known as "throwing stars", which are multi-pointed, metal objects designed to embed upon impact from any aspect.

(2) Any such student violating subsection (1) of this section is guilty of a gross misdemeanor.

(3) Subsection (1) of this section does not apply to:

- (a) Any student of a private military academy; or
- (b) Any student engaged in military activities, sponsored by the federal or state governments while engaged in official duties; or
- (c) Any student who is attending a convention or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed; or

(d) Any student who possesses nun-chu-ka sticks, throwing stars, or other dangerous weapons to be used in martial arts classes conducted on the school premises.

Sec. 5. Section 13, chapter 249, Laws of 1909 and RCW 9.92.010 are each amended to read as follows:

Every person convicted of a felony for which no punishment is specially prescribed by any statutory provision in force at the time of conviction and sentence, shall be punished by ~~((imprisonment in the state penitentiary for not more than))~~ confinement or fine which shall not exceed confinement in a state correctional institution for a term of ten years, or by a fine in an amount fixed by the court of not more than ((five)) twenty thousand dollars, or by both such confinement and fine.

Sec. 6. Section 15, chapter 249, Laws of 1909 and RCW 9.92.020 are each amended to read as follows:

Every person convicted of a gross misdemeanor for which no punishment is prescribed in any statute in force at the time of conviction and sentence, shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than one year, or by a fine in an amount fixed by the court of not more than ((one)) five thousand dollars, or by both such imprisonment and fine.

Sec. 7. Section 785, Code of 1881 as amended by section 14, chapter 249, Laws of 1909 and RCW 9.92.030 are each amended to read as follows:

Every person convicted of a misdemeanor for which no punishment is prescribed by any statute in force at the time of conviction and sentence, shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than ((two hundred and fifty)) one thousand dollars or both such imprisonment and fine.

Sec. 8. Section 1, chapter 24, Laws of 1905 as last amended by section 4, chapter 8, Laws of 1982 1st ex. sess. and RCW 9.92.060 are each amended to read as follows:

Whenever any person shall be convicted of any crime except murder, burglary in the first degree, arson in the first degree, robbery, carnal knowledge of a female child under the age of ten years, or rape, the court may in its discretion, at the time of imposing sentence upon such person, direct that such sentence be stayed and suspended until otherwise ordered by such court, and that the sentenced person be placed under the charge of a parole or peace officer during the term of such suspension, upon such terms as the court may determine: PROVIDED, That as a condition to suspension of sentence, the court shall require the payment of the penalty assessment required by RCW 7.68.035: PROVIDED FURTHER, That as a condition to suspension of sentence, the court may require the convicted person to make such monetary payments, on such terms as the court deems appropriate under the circumstances, as are necessary (1) to comply with any order of the court for the payment of family support, (2) to make restitution to any person or persons who may have suffered loss or damage by reason of the commission of the crime in question or when the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement, ((and)) (3) to pay any fine imposed and not suspended and the court or other costs incurred in the prosecution of the case, including reimbursement of the state for costs of extradition if return to this state by extradition was required, and (4) to contribute to a county or interlocal drug fund. In no case shall a sentence be suspended under the provisions of this section unless the person if sentenced to confinement in a penal institution be placed under the charge of a parole officer, who is a duly appointed and acting officer of the institution to which the person is sentenced:

PROVIDED, That persons convicted in justice court may be placed under supervision of a probation officer employed for that purpose by the board of county commissioners of the county wherein the court is located. If restitution to the victim has been ordered under subsection (2) of this section, the officer supervising the probationer shall make a reasonable effort to ascertain whether restitution has been made as ordered. If restitution has not been made, the officer shall inform the prosecutor of that violation of the terms of the suspended sentence not less than three months prior to the termination of the suspended sentence.

Sec. 9. Section 2, chapter 188, Laws of 1971 ex. sess. and RCW 9.92.064 are each amended to read as follows:

In the case of a person granted a suspended sentence under the provisions of RCW 9.92.060, the court shall establish a definite termination date for the suspended sentence. The court shall set a date no later than the time the original sentence would have elapsed and may provide for an earlier termination of the suspended sentence. Prior to the entry of an order formally terminating a suspended sentence the court may modify the terms and conditions of the suspension or extend the period of the suspended sentence.

Sec. 10. Section 1, chapter 19, Laws of 1980 as last amended by section 5, chapter 8, Laws of 1982 1st ex. sess. and RCW 9.95.210 are each amended to read as follows:

The court in granting probation, may suspend the imposing or the execution of the sentence and may direct that such suspension may continue for such period of time, not exceeding the maximum term of sentence, except as hereinafter set forth and upon such terms and conditions as it shall determine.

The court in the order granting probation and as a condition thereof, may in its discretion imprison the defendant in the county jail for a period not exceeding one year or may fine the defendant any sum not exceeding one thousand dollars plus the costs of the action, and may in connection with such probation impose both imprisonment in the county jail and fine and court costs. As a condition of probation, the court shall require the payment of the penalty assessment required by RCW 7.68-.035. The court may also require the defendant to make such monetary payments, on such terms as it deems appropriate under the circumstances, as are necessary (1) to comply with any order of the court for the payment of family support, (2) to make restitution to any person or persons who may have suffered loss or damage by reason of the commission of the crime in question or when the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement, (3) to pay such fine as may be imposed and court costs, including reimbursement of the state for costs of extradition if return to this state by extradition was required, and (4) to contribute to a county or interlocal drug fund, and may require bonds for the faithful observance of any and all conditions imposed in the probation. The court shall order the probationer to report to the secretary of corrections or such officer as the secretary may designate and as a condition of said probation to follow implicitly the instructions of the secretary. If the probationer has been ordered to make restitution, the officer supervising the probationer shall make a reasonable effort to ascertain whether restitution has been made. If restitution has not been made as ordered, the officer shall inform the prosecutor of that violation of the terms of probation not less than three months prior to the termination of the probation period. The secretary of corrections will promulgate rules and regulations for the conduct of such person during the term of his probation: PROVIDED, That for defendants found guilty in justice court, like functions as the secretary performs in regard to probation may be performed by probation officers employed for that purpose by the ((board of))

county ((commissioners)) legislative authority of the county wherein the court is located.

Sec. 11. Section 6, chapter 227, Laws of 1957 and RCW 9.95.230 are each amended to read as follows:

The court shall have authority at any time (~~during the course of~~) prior to the entry of an order terminating probation to (1) revoke, modify, or change its order of suspension of imposition or execution of sentence; (2) it may at any time, when the ends of justice will be subserved thereby, and when the reformation of the probationer shall warrant it, terminate the period of probation, and discharge the person so held.

Sec. 12. Section 9A.20.030, chapter 260, Laws of 1975 1st ex. sess. as amended by section 3, chapter 29, Laws of 1979 and RCW 9A.20.030 are each amended to read as follows:

(1) If a person has gained money or property or caused a victim to lose money or property through the commission of a crime, upon conviction thereof or when the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement, the court, in lieu of imposing the fine authorized for the offense under RCW 9A.20.020, may order the defendant to pay an amount, fixed by the court, not to exceed double the amount of the defendant's gain or victim's loss from the commission of a crime. Such amount may be used to provide restitution to the victim at the order of the court. It shall be the duty of the prosecuting attorney to investigate the alternative of restitution, and to recommend it to the court, when the prosecuting attorney believes that restitution is appropriate and feasible. If the court orders restitution, the court shall make a finding as to the amount of the defendant's gain or victim's loss from the crime, and if the record does not contain sufficient evidence to support such finding the court may conduct a hearing upon the issue. For purposes of this section, the terms "gain" or "loss" refer to the amount of money or the value of property or services gained or lost.

(2) Notwithstanding any other provision of law, this section also applies to any corporation or joint stock association found guilty of any crime.

NEW SECTION. Sec. 13. There is added to chapter 9A.52 RCW a new section to read as follows:

(1) A person is guilty of vehicle prowling in the first degree if, with intent to commit a crime against a person or property therein, he enters or remains unlawfully in a motor home, as defined in RCW 46.04.305, or in a vessel equipped for propulsion by mechanical means or by sail which has a cabin equipped with permanently installed sleeping quarters or cooking facilities.

(2) Vehicle prowling in the first degree is a class C felony.

Sec. 14. Section 9A.52.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.100 are each amended to read as follows:

(1) A person is guilty of vehicle prowling in the second degree if, with intent to commit a crime against a person or property therein, he enters or remains unlawfully in a vehicle other than a motor home, as defined in RCW 46.04.305, or a vessel equipped for propulsion by mechanical means or by sail which has a cabin equipped with permanently installed sleeping quarters or cooking facilities.

(2) Vehicle prowling in the second degree is a gross misdemeanor.

Sec. 15. Section 9A.56.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.56.040 are each amended to read as follows:

(1) A person is guilty of theft in the second degree if he commits theft of:

(a) Property or services which exceed(s) two hundred and fifty dollars in value, but does not exceed one thousand five hundred dollars in value; or

(b) A public record, writing, or instrument kept, filed, or deposited according to law with or in the keeping of any public office or public servant; or

(c) A credit card; or

(d) A motor vehicle, of a value less than one thousand five hundred dollars; or

(e) A firearm, of a value less than one thousand five hundred dollars.

(2) Theft in the second degree is a class C felony.

Sec. 16. Section 9A.72.090, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.090 are each amended to read as follows:

(1) A person is guilty of bribing a witness if he offers, confers, or agrees to confer any benefit upon a witness or a person he has reason to believe is about to be called as a witness in any official proceeding or upon a person whom he has reason to believe may have information relevant to a criminal investigation, with intent to:

(a) Influence the testimony of that person; or

(b) Induce that person to avoid legal process summoning him to testify; or

(c) Induce that person to absent himself from an official proceeding to which he has been legally summoned.

(2) Bribing a witness is a class B felony.

Sec. 17. Section 9A.72.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.100 are each amended to read as follows:

(1) A witness or a person who has reason to believe he is about to be called as a witness in any official proceeding or that he may have information relevant to a criminal investigation is guilty of bribe receiving by a witness if he requests, accepts, or agrees to accept any benefit pursuant to an agreement or understanding that:

(a) His testimony will thereby be influenced; or

(b) He will attempt to avoid legal process summoning him to testify; or

(c) He will attempt to absent himself from an official proceeding to which he has been legally summoned.

(2) Bribe receiving by a witness is a class B felony.

Sec. 18. Section 9A.72.110, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.110 are each amended to read as follows:

(1) A person is guilty of intimidating a witness if, by use of a threat directed to a witness or a person he has reason to believe is about to be called as a witness in any official proceeding or to a person whom he has reason to believe may have information relevant to a criminal investigation, he attempts to:

(a) Influence the testimony of that person; or

(b) Induce that person to elude legal process summoning him to testify; or

(c) Induce that person to absent himself from such proceedings.

(2) "Threat" as used in this section means

(a) to communicate, directly or indirectly, the intent immediately to use force against any person who is present at the time; or

(b) threats as defined in RCW 9A.04.110(25).

(3) Intimidating a witness is a class B felony.

Sec. 19. Section 9A.72.120, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.120 are each amended to read as follows:

(1) A person is guilty of tampering with a witness if he attempts to induce a witness or person he has reason to believe is about to be called as a witness in any official proceeding or a person whom he has reason to believe may have information relevant to a criminal investigation to:

(a) Testify falsely or, without right or privilege to do so, to withhold any testimony; or

(b) Absent himself from such proceedings.

(2) Tampering with a witness is a class C felony.

Sec. 20. Section 9A.76.050, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.050 are each amended to read as follows:

As used in RCW 9A.76.070, 9A.76.080, and 9A.76.090, a person "renders criminal assistance" if, with intent to prevent, hinder, or delay the apprehension or prosecution of another person who he knows has committed a crime or juvenile offense or is being sought by law enforcement officials for the commission of a crime or juvenile offense or has escaped from a detention facility, he:

- (1) Harbors or conceals such person; or
- (2) Warns such person of impending discovery or apprehension; or
- (3) Provides such person with money, transportation, disguise, or other means of avoiding discovery or apprehension; or
- (4) Prevents or obstructs, by use of force, deception, or threat, anyone from performing an act that might aid in the discovery or apprehension of such person; or
- (5) Conceals, alters, or destroys any physical evidence that might aid in the discovery or apprehension of such person; or
- (6) Provides such person with a weapon.

Sec. 21. Section 9A.76.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.070 are each amended to read as follows:

(1) A person is guilty of rendering criminal assistance in the first degree if he renders criminal assistance to a person who has committed or is being sought for murder in the first degree or any class A felony or equivalent juvenile offense.

(2) Rendering criminal assistance in the first degree is:

(a) A gross misdemeanor if it is established by a preponderance of the evidence that the actor is a relative as defined in RCW 9A.76.060;

(b) A class C felony in all other cases.

Sec. 22. Section 9A.76.080, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.080 are each amended to read as follows:

(1) A person is guilty of rendering criminal assistance in the second degree if he renders criminal assistance to a person who has committed or is being sought for a class B or class C felony or an equivalent juvenile offense or to someone being sought for violation of parole, probation, or community supervision.

(2) Rendering criminal assistance in the second degree is:

(a) A misdemeanor if it is established by a preponderance of the evidence that the actor is a relative as defined in RCW 9A.76.060;

(b) A gross misdemeanor in all other cases.

Sec. 23. Section 9A.76.110, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.110 are each amended to read as follows:

(1) A person is guilty of escape in the first degree if, being detained pursuant to a conviction of a felony or an equivalent juvenile offense, he escapes from custody or a detention facility.

(2) Escape in the first degree is a class B felony.

Sec. 24. Section 9A.76.120, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.120 are each amended to read as follows:

(1) A person is guilty of escape in the second degree if:

(a) He escapes from a detention facility; or

(b) Having been charged with a felony or an equivalent juvenile offense, he escapes from custody.

(2) Escape in the second degree is a class C felony.

Sec. 25. Section 1, chapter 75, Laws of 1979 ex. sess. and RCW 46.61.024 are each amended to read as follows:

Any driver of a motor vehicle who wilfully fails or refuses to immediately bring his vehicle to a stop and who drives his vehicle in a manner indicating a wanton ((and)) or wilful disregard for the lives or property of others while attempting to elude a pursuing police vehicle, after being given a visual or audible signal to bring the vehicle to a stop, shall be guilty of a class C felony. The signal given by the police officer may be by hand, voice, emergency light, or siren. The officer giving

such a signal shall be in uniform and his vehicle shall be appropriately marked showing it to be an official police vehicle.

Sec. 26. Section 1, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.010 are each amended to read as follows:

Upon arraignment in a court of limited jurisdiction a person charged with a misdemeanor or gross misdemeanor may petition the court to be considered for a deferred prosecution program. A person charged with a traffic infraction, misdemeanor, or gross misdemeanor under Title 46 RCW shall not be eligible for a deferred prosecution program unless the court makes specific findings pursuant to RCW 10.05.020. Such person shall not be eligible for a deferred prosecution program more than once in any five-year period.

Sec. 27. Section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 6, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.515 are each amended to read as follows:

(1) Every person who is convicted of a violation of RCW 46.61.502 or 46.61.504 shall be punished by imprisonment for not less than ~~((one day))~~ twenty-four consecutive hours nor more than one year, and by a fine of not more than five hundred dollars. The person shall, in addition, be required to complete a course at an alcohol information school approved by the department of social and health services. ~~((One day))~~ If, after completing an alcohol evaluation at the alcohol information school, the convicted person is found to have a serious alcohol problem, the alcohol information school may recommend more intensive alcoholism treatment in a program approved by the department of social and health services. In the alternative, the court may bypass alcohol information school if the court determines that more intensive alcoholism treatment in a program approved by the department of social and health services is appropriate. Standards for approval shall be prescribed by rule under the administrative procedure act, chapter 34.04 RCW. The courts shall periodically review the costs of alcohol information schools and treatment programs within their jurisdictions. Twenty-four consecutive hours of the jail sentence shall not be suspended or deferred unless the judge finds that the imposition of the jail sentence will pose a risk to the defendant's physical or mental well-being. Whenever the mandatory jail sentence is suspended or deferred, the judge must state, in writing, the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. The court may impose conditions of probation that may include nonrepetition, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate.

(2) On a second or subsequent conviction ~~((under RCW 46.61.502 or 46.61.504))~~ for driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs within a five year period a person shall be punished by imprisonment for not less than seven days nor more than one year and by a fine not more than one thousand dollars. The jail sentence shall not be suspended or deferred unless the judge finds that the imposition of the jail sentence will pose a risk to the defendant's physical or mental well-being. Whenever the mandatory jail sentence is suspended or deferred, the judge must state, in writing, the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. If such person at the time of a second or subsequent conviction is without a license or permit because of a previous suspension or revocation, the minimum mandatory sentence shall be ninety days in jail and a two hundred dollar fine. The penalty so imposed shall not be suspended or deferred. The person shall, in addition, be required to complete diagnostic evaluation at an alcoholism program approved by the department of social and health services or other diagnostic evaluation as the court designates. If the person is found to have an alcohol or drug problem requiring treatment, the person shall complete treatment at an approved alcoholism treatment facility or approved drug treatment center.

In addition to any nonsuspendable and nondeferrable jail sentence required by this subsection, the court shall sentence a person to a term of imprisonment not exceeding one hundred eighty days and shall suspend but shall not defer the sentence for a period not exceeding two years. The suspension of the sentence may be conditioned upon nonrepetition, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of suspension during the suspension period.

(3) There shall be levied and paid into the highway safety fund of the state treasury a penalty assessment in the minimum amount of twenty-five percent of, and which shall be in addition to, any fine, bail forfeiture, or costs on all offenses involving a violation of any state statute or city or county ordinance relating to driving a motor vehicle while under the influence of intoxicating liquor or being in actual physical control of a motor vehicle while under the influence of intoxicating liquor: PROVIDED, That all funds derived from such penalty assessment shall be in addition to and exclusive of assessments made under RCW 46.81.030 and shall be for the exclusive use of the department for driver services programs and for a state-wide alcohol safety action program, or other similar programs designed primarily for the rehabilitation or control of traffic offenders. Such penalty assessment shall be included in any bail schedule and shall be included by the court in any pronouncement of sentence.

(4) Notwithstanding the provisions contained in chapters 3.16, 3.46, 3.50, 3.62, or 35.20 RCW, or any other section of law, the penalty assessment provided for in subsection (3) of this section shall not be suspended, waived, modified, or deferred in any respect, and all moneys derived from such penalty assessments shall be forwarded to the highway safety fund to be used exclusively for the purposes set forth in subsection (3) of this section.

(5) The license or permit to drive or any nonresident privilege of any person convicted of (~~either of the offenses named in RCW 46.61.502 or 46.61.504~~) driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs shall:

(a) On the first conviction under either such offense, be suspended by the department for not less than thirty days: PROVIDED, That the court may recommend that no suspension action be taken. The treatment agency shall forward a copy of the completed diagnostic evaluation and treatment report to the department of licensing before the department may reinstate the person's driver's license. The department of licensing shall determine the person's eligibility for licensing based upon these reports and shall deny reinstatement until enrollment and participation in an approved program has been established and the person is otherwise qualified;

(b) On a second conviction under either such offense within a five year period, be suspended by the department for not less than sixty days. The treatment agency shall forward a copy of the completed diagnostic evaluation and treatment report to the department of licensing before the department may reinstate the person's driver's license. The department of licensing shall determine the person's eligibility for licensing based upon these reports as provided in RCW 46.20.031 and shall deny reinstatement until satisfactory progress in an approved program has been established and the person is otherwise qualified;

(c) On a third or subsequent conviction under either such offense within a five year period, be revoked by the department.

(6) In any case provided for in this section, where a driver's license is to be revoked or suspended, such revocation or suspension shall be stayed and shall not take effect until after the determination of any appeal from the conviction which may lawfully be taken, but in case such conviction is sustained on appeal such revocation or suspension shall take effect as of the date that the conviction becomes effective for other purposes.

~~((7) The provisions of this section limiting the authority of a court to defer or suspend a sentence shall not take effect until January 1, 1980. The division of criminal justice, no later than December 31, 1980, shall submit a study to the house of representatives and to the senate which details the impact of the sentencing provisions established by this section. The impact study shall include, but shall not be limited to, the following information: The impact of the provisions upon county jail conditions and bed space, the cost impact of the provisions upon local and state governments, and the existence of alternative facilities to which individuals sentenced under this section may be committed:))~~

NEW SECTION. Sec. 28. Section 777, Code of 1881, section 63, chapter 249, Laws of 1909 and RCW 10.43.010 are each repealed.

Sec. 29. Section 9, chapter 8, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

~~((This act))~~ Chapter 8, Laws of 1982 1st ex. sess. is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except sections 2 ~~((through))~~, 3, and 6 of ~~((this act))~~ chapter 8, Laws of 1982 1st ex. sess. shall take effect on January 1, 1983.

Sec. 30. Section 1, chapter 5, Laws of 1973 as amended by section 13, chapter 61, Laws of 1979 and RCW 46.20.391 are each amended to read as follows:

(1) Any person licensed under this chapter who is convicted of an offense relating to motor vehicles for which suspension or revocation of the driver's license is mandatory, other than negligent homicide, may petition the court for a stay of the effect of the mandatory suspension or revocation for the purpose of submitting to the department an application for an occupational driver's license. Any person who is convicted or pleads guilty to a charge under RCW 46.61.502 and whose license has been revoked under RCW 46.20.308 may petition the court to stay the effect of the revocation for the purpose of submitting to the department an application for an occupational driver's license. The court upon determining the petitioner is engaged in an occupation or trade which makes it essential that the petitioner operate a motor vehicle may stay the effect of the mandatory suspension or revocation, notwithstanding RCW 46.20.270, for a period of not more than thirty days and may set definite restrictions as to hours of the day which may not exceed twelve hours in any one day, days of the week, type of occupation, and areas or routes of travel permitted under the occupational driver's license.

(2) An applicant for an occupational driver's license is eligible to receive such license only if:

(a) Within one year immediately preceding the present conviction the applicant has not been convicted of any offense relating to motor vehicles for which suspension or revocation of a driver's license is mandatory; and

(b) The applicant is engaged in an occupation or trade which makes it essential that he or she operate a motor vehicle; and

(c) The applicant files satisfactory proof of financial responsibility pursuant to chapter 46.29 RCW.

(3) The department, upon receipt of an application and the prescribed fee, may issue an occupational driver's license to any person eligible under this section for a period of not more than one year which permits the operation of a motor vehicle only within the limits established by the court and only when the operation is essential to the licensee's occupation or trade.

(4) The director shall cancel an occupational driver's license upon receipt of notice that the holder thereof has been convicted of operating a motor vehicle in violation of its restrictions, or of an offense which pursuant to chapter 46.20 RCW

would warrant suspension or revocation of a regular driver's license. Such cancellation shall be effective as of the date of such conviction, and shall continue with the same force and effect as any suspension or revocation under this title.

NEW SECTION. Sec. 31. 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. 32. Sections 29 and 30 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."

In line 1 of the title, after "crimes;" strike the remainder of the title, and insert "amending section 1, chapter 175, Laws of 1969 ex. sess. as amended by section 1, chapter 258, Laws of 1981 and RCW 9.41.025; adding a new section to chapter 9.41 RCW; amending section 1, chapter 64, Laws of 1933 and RCW 9.41.190; amending section 5, chapter 172, Laws of 1935 as amended by section 4, chapter 124, Laws of 1961 and RCW 9.41.050; amending section 13, chapter 249, Laws of 1909 and RCW 9.92.010; amending section 15, chapter 249, Laws of 1909 and RCW 9.92.020; amending section 785, Code of 1881 as amended by section 14, chapter 249, Laws of 1909 and RCW 9.92.030; amending section 1, chapter 24, Laws of 1905 as last amended by section 4, chapter 8, Laws of 1982 1st ex. sess. and RCW 9.92.060; amending section 2, chapter 188, Laws of 1971 ex. sess. and RCW 9.92.064; amending section 1, chapter 19, Laws of 1980 as last amended by section 5, chapter 8, Laws of 1982 1st ex. sess. and RCW 9.95.210; amending section 6, chapter 227, Laws of 1957 and RCW 9.95.230; amending section 9A.20.030, chapter 260, Laws of 1975 1st ex. sess. as amended by section 3, chapter 29, Laws of 1979 and RCW 9A.20.030; amending section 9A.52.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.100; amending section 9A.56.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.56.040; amending section 9A.72.090, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.090; amending section 9A.72.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.100; amending section 9A.72.110, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.110; amending section 9A.72.120, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.120; amending section 9A.76.050, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.050; amending section 9A.76.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.070; amending section 9A.76.080, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.080; amending section 9A.76.110, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.110; amending section 9A.76.120, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.120; amending section 1, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.010; amending section 1, chapter 5, Laws of 1973 as amended by section 13, chapter 61, Laws of 1979 and RCW 46.20.391; amending section 1, chapter 75, Laws of 1979 ex. sess. and RCW 46.61.024; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 6, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.515; amending section 9, chapter 8, Laws of 1982 1st ex. sess. (uncodified); adding a new section to chapter 9A.52 RCW; repealing section 777, Code of 1881, section 63, chapter 249, Laws of 1909 and RCW 10.43.010; prescribing penalties; providing an effective date; and declaring an emergency."

Signed: Senators Clarke, Hemstad and Talmadge; Representatives Ellis, Padden and Salatino.

MOTION

On motion of Senator Clarke, the report of Free Conference Committee on House Bill No. 600, was adopted.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 600, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 38; nays, 8; absent or not voting, 1; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Moore, Newhouse, Patterson, Quigg, Scott, Sellar, Shinpoch, Talmadge, Vognild, Williams, Woody, Zimmerman—38.

Voting nay: Senators Bottiger, Goltz, Metcalf, Peterson, Ridder, von Reichbauer, Wilson, Wojahn—8.

Absent or not voting: Senator Pullen—1.

Excused: Senators Rasmussen, Talley—2.

HOUSE BILL NO. 600, 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 9:45 p.m., on motion of Senator Clarke, the Senate adjourned until 1:30 p.m., Tuesday, April 6, 1982.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-SIXTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia, Tuesday, April 6, 1982.

The Senate was called to order at 1:30 p.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Conner, Rasmussen and Talley. There being no objections, Senator Talley was excused.

The Color Guard, consisting of Pages Susan Reed and David Reed, presented the Colors. Reverend Charles Loyer, former pastor of Westminster United Presbyterian Church of Olympia, offered the prayer.

Reverend Loyer is now retired.

MOTION

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

MESSAGE FROM THE GOVERNOR

Office of the Governor, April 6, 1982.

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

LADIES AND GENTLEMEN:

I have the honor to advise you that on April 6, 1982 Governor Spellman approved the following Senate Bills entitled:

SUBSTITUTE SENATE BILL NO. 4675, relating to school district transportation.

SUBSTITUTE SENATE BILL NO. 3946, relating to taxation of aircraft fuel.

Sincerely,
MARILYN SHOWALTER
 Counsel to the Governor.

MESSAGE FROM THE HOUSE

April 5, 1982.

Mr. President: The Speaker has signed: **SECOND SUBSTITUTE HOUSE BILL NO. 784**, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: **SENATE BILL NO. 4640**.

SIGNED BY THE PRESIDENT

The President signed: **SECOND SUBSTITUTE HOUSE BILL NO. 784**.

MOTION

At 1:35 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 3:35 p.m.
 There being no objection, the Senate was declared to be at ease.
 The President called the Senate to order at 4:03 p.m.

MOTION

On motion of Senator Clarke, the Senate commenced consideration of the House Message on Engrossed Substitute House Bill No. 1217.

MESSAGE FROM THE HOUSE

April 5, 1982.

Mr. President: The House insists on its position regarding the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1217 and again asks the Senate to recede therefrom, and said bill together with attached amendments is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Gould, the Senate refused to recede from the Senate amendments to Engrossed Substitute House Bill No. 1217 and once again asks the House to concur therein.

MESSAGE FROM THE HOUSE

April 4, 1982.

Mr. President: The House insists on its position regarding the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3783, and again asks the Senate to concur therein, and said bill together with the amendments thereto is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTIONS

Senator Scott moved the Senate do concur in the House amendments to Engrossed Substitute Senate Bill No. 3783.

Senator Pullen moved the Senate concur in the House amendments with the exception of the amendment to section 10.

There being no objection, the motions by Senator Scott and Senator Pullen were withdrawn.

MOTION

On motion of Senator Scott, the Senate insists on its position on the House amendments to Engrossed Substitute Senate Bill No. 3783 and once again asks the House to recede therefrom.

MESSAGE FROM THE HOUSE

April 5, 1982.

Mr. President: The House has passed: ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 143, with the following amendments:

Strike the entire resolution and insert the following:

"BE IT RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON, IN LEGISLATIVE SESSION ASSEMBLED:

THAT, At the next general election to be held in this state there shall be submitted to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Article VII of the state Constitution by adding a new section to read as follows:

Article VII, section Notwithstanding any provision of this Constitution, the legislature may by general law authorize the legislative authority of any county, city, or town to create boundaries in urban areas, within its jurisdiction, containing only that real property which is determined will be increased in true and fair value by reason of specified public improvements to redevelop areas within those boundaries, and may provide that all or a portion of the ad valorem taxes levied within those boundaries against increases in the true and fair value of such real property may be used to pay for the specified public improvements or to pay public obligations incurred to fund the specified public improvements. Public obligations incurred for these public improvements and payable solely from revenues from these public improvements and such ad valorem taxes levied against the increases in real property value shall not constitute general indebtedness.

For the purposes of this section, "ad valorem taxes" means:

- (1) Ad valorem taxes subject to the aggregate limitation on tax levies by the state and all taxing districts in section 2 of this Article; and
- (2) Ad valorem taxes levied by port districts and public utility districts, except for ad valorem taxes levied specifically for the purpose of making required payments of principal and interest on general indebtedness.

Nothing in this section authorizes the provision of public improvements which counties, cities, and towns may not otherwise provide.

Nothing in this section authorizes a county, city, or town to exercise powers of eminent domain contrary to the provisions of Article I, section 16.

Nothing in this section authorizes a county, city, or town to pledge all or part of its full faith and credit or any other tax revenues without complying with the laws relating to the incurring of general indebtedness, including Article VIII, section 1 and Article VIII, section 6, or to aggregate tax levies in excess of the limitation on levies in section 2 of this Article: PROVIDED, That no bonds that constitute general indebtedness and which use the funding mechanism contained in this section shall be issued to fund all or a portion of such specified public improvements unless a public hearing on the issue of such bonds is held prior to the time boundaries are created pursuant to this section. The notice for such a public hearing shall include: (1) A statement that the county, city, or town must pledge its full faith and credit toward the payment of any general indebtedness which uses the funding mechanism contained in the section; (2) A statement that in the absence of sufficient revenues under this funding mechanism, the debt service must be made from then existing taxes or other revenues, which may result in an increase in taxes or reduction in existing programs; and (3) An estimate of the dollar amount of debt service on such bonds per year, and an estimate of the total principal and interest payments required for the full term of the bonds. The use of the funding mechanism contained in this section to pay principal and interest on general indebtedness, which is not required to be approved by the voters pursuant to Article VIII, section 6, shall be subject to potential referendum approval by simple majority vote of the voters of the county, city, or town.

After the initial adoption of a law by the legislature authorizing the use of ad valorem taxes levied against increases in the true and fair value of real property to finance specified public improvements, no amendment to such act which expands the nature of the areas within which ad valorem taxes levied against increases in the true and fair value of real property may be used to finance specified public improvements, or adds to the purposes and types of public improvements that may be

financed with such revenues, or reduces the requirements which must be met if public obligations are incurred to fund the specified public improvements, shall be valid unless the amendment is enacted by a favorable vote of three-fifths of the members elected to each house of the legislature and is subject to referendum petition.

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.", and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

Senator Zimmerman moved the Senate concur in the House amendment to Engrossed Substitute Senate Joint Resolution No. 143.

Debate ensued.

The motion by Senator Zimmerman carried and the Senate concurred in the House amendment to Engrossed Substitute Senate Joint Resolution No. 143.

POINT OF INQUIRY

Senator Fleming: "Senator Zimmerman, on page 2 of the House committee amendment, in the definition section, it speaks to the ad valorem taxes levied by port districts and public utility districts, and I am wondering what that is in reference to?"

Senator Zimmerman: "This is one more, while they are redefining and including in the ad valorem taxes that they include the regular property tax levy plus they also are including the regular tax levies of port districts and PUDs, except for their debt service, their debt service on . . . levy on that. Now they wanted to tighten it down just that one more bit there, that was part of . . . the plan was to just tighten it down that bit more.

"I think that as far as ports and PUDs, I have not had any word that they were objecting to this. There has been no objection from . . ."

Senator Fleming: "This does not indicate that they, ports and public utility districts supposed to participate under this program?"

Senator Zimmerman: "They previously had been included but in this version, counties and cities, we are taking those out; counties and cities . . ."

Senator Fleming: "The only ones? I was just wondering if they were not included in this, why this was even in there?"

Senator Zimmerman: "That is, I cannot give you an adequate answer to that, but I know that they were, turned it down . . ."

Senator Fleming: "The purpose of this is not to have them participate under the program?"

Senator Zimmerman: "Apparently that, yes."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Joint Resolution No. 143, as amended by the House, and the resolution passed the Senate by the following vote: Yeas, 36; nays, 11; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Conner, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Jones, Kiskaddon, Lee, McDermott, Moore, Patterson, Peterson, Quigg, Ridder, Scott, Sellar, Talmadge, Vognild, von Reichbauer, Wilson, Wojahn, Zimmerman—36.

Voting nay: Senators Clarke, Craswell, Hurley, Lysen, McCaslin, Metcalf, Newhouse, Pullen, Shinpoch, Williams, Woody—11.

Excused: Senators Rasmussen, Talley—2.

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 143, as amended by the House, having received the constitutional two-thirds majority, was declared passed.

MOTION

At 4:45 p.m., on motion of Senator Clarke, the Senate recessed until 7:00 p.m.

EVENING SESSION

The President called the Senate to order at 7:00 p.m.

MESSAGE FROM THE HOUSE

April 5, 1982.

Mr. President: The House has passed: ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 4603, with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. **SHORT TITLE.** This chapter may be known and cited as the Community Redevelopment Financing Act of 1982.

NEW SECTION. Sec. 2. **DECLARATION.** It is declared to be the public policy of the state of Washington to promote and facilitate the orderly development and economic stability of its urban areas. The provision of adequate government services and the creation of employment opportunities for the citizens within urban areas depends upon the economic growth and the strength of their tax base. The construction of necessary public improvements in accordance with local community planning will encourage investment in job-producing private development and will expand the public tax base.

It is the purpose of this chapter to allocate a portion of regular property taxes for limited periods of time to assist in the financing of public improvements which are needed to encourage private development of urban areas; to prevent or arrest the decay of urban areas due to the inability of existing financing methods to provide needed public improvements; to encourage local taxing districts to cooperate in the allocation of future tax revenues arising in urban areas in order to facilitate the long-term growth of their common tax base; and to encourage private investment within urban areas.

NEW SECTION. Sec. 3. **DEFINITIONS.** As used in this chapter the following terms have the following meanings unless a different meaning is clearly indicated by the context:

(1) "Apportionment district" means the geographic area, within an urban area, from which regular property taxes are to be apportioned to finance a public improvement contained therein.

(2) "Assessed value of real property" means the valuation of real property as placed on the last completed assessment roll of the county.

(3) "City" means any city or town.

(4) "Ordinance" means any appropriate method of taking a legislative action by a county or city, whether known as a statute, resolution, ordinance, or otherwise.

(5) "Public improvement" means an undertaking to provide public facilities in an urban area which the sponsor has authority to provide.

(6) "Public improvement costs" means the costs of design, planning, acquisition, site preparation, construction, reconstruction, rehabilitation, improvement, and installation of the public improvement; costs of relocation, maintenance, and operation of property pending construction of the public improvement; costs of utilities relocated as a result of the public improvement; costs of financing, including interest during construction, legal and other professional services, taxes, and insurance; costs

incurred by the assessor to revalue real property for the purpose of determining the tax allocation base value that are in excess of costs incurred by the assessor in accordance with his revaluation plan under chapter 84.41 RCW, and the costs of apportioning the taxes and complying with this chapter and other applicable law; and administrative costs reasonably necessary and related to these costs. These costs may include costs incurred prior to the adoption of the public improvement ordinance, but subsequent to the effective date of this act.

(7) "Public improvement ordinance" means the ordinance passed under section 5(4) of this act.

(8) "Regular property taxes" means regular property taxes as now or hereafter defined in RCW 84.04.140, except regular property taxes levied by port districts or public utility districts specifically for the purpose of making required payments of principal and interest on general indebtedness.

(9) "Sponsor" means any county or city initiating and undertaking a public improvement.

(10) "Tax allocation base value of real property" means the true and fair value of real property within an apportionment district for the year in which the apportionment district was established.

(11) "Tax allocation bonds" means any bonds, notes, or other obligations issued by a sponsor pursuant to section 10 of this act.

(12) "Tax allocation revenues" means those tax revenues allocated to a sponsor under section 8(1)(b) of this act.

(13) "Taxing districts" means any governmental entity which levies or has levied for it regular property taxes upon real property located within a proposed or approved apportionment district.

(14) "Value of taxable property" means value of taxable property as defined in RCW 39.36.015.

(15) "Urban area" means an area in a city or located outside of a city that is characterized by intensive use of the land for the location of structures and receiving such urban services as sewers, water, and other public utilities and services normally associated with urbanized areas. Not more than twenty-five percent of the area within the urban area proposed apportionment district may be vacant land.

NEW SECTION. Sec. 4. AUTHORITY—LIMITATIONS. (1) Only public improvements which are determined by the legislative authority of the sponsor to meet the following criteria are eligible to be financed under this chapter:

(a) The public improvement is located within an urban area;

(b) The public improvement will encourage private development within the apportionment district;

(c) The public improvement will increase the fair market value of the real property located within the apportionment district;

(d) The private development which is anticipated to occur within the apportionment district as a result of the public improvement is consistent with an existing comprehensive land use plan and approved growth policies of the jurisdiction within which it is located;

(e) A public improvement located within a city has been approved by the legislative authority of such city; and

(f) A public improvement located within an urban area in an unincorporated area has been approved by the legislative authority of the county within whose boundaries the area lies.

(2) Apportionment of regular property tax revenues to finance the public improvements is subject to the following limitations:

(a) No apportionment of regular property tax revenues may take place within a previously established apportionment district where regular property taxes are still

apportioned to finance public improvements without the concurrence of the sponsor which established the district;

(b) No apportionment district may be established which includes any geographic area included within a previously established apportionment district which has outstanding bonds payable in whole or in part from tax allocation revenues;

(c) The total amount of outstanding bonds payable in whole or in part from tax allocation revenues arising from property located within a city shall not exceed two percent of the value of taxable property within the city, and the total amount of outstanding bonds payable in whole or in part from tax allocation revenues arising from property located within the unincorporated areas of a county shall not exceed two percent of the value of taxable property within the entire unincorporated area of the county; and

(d) No taxes other than regular property taxes may be apportioned under this chapter.

(3) Public improvements may be undertaken and coordinated with other programs or efforts undertaken by the sponsor or others and may be funded in whole or in part from sources other than those provided by this chapter.

NEW SECTION. Sec. 5. PROCEDURE FOR ADOPTION OF PUBLIC IMPROVEMENT. Public improvements funded by tax allocation revenues may only be located within an urban area. In order to secure an allocation of regular property taxes to finance a public improvement, a sponsor shall:

(1) Propose by ordinance a plan for the public improvement which includes a description of the contemplated public improvement, the estimated cost thereof, the boundaries of the apportionment district, the estimated period during which tax revenue apportionment is contemplated, and the ways in which the sponsor plans to use tax allocation revenues to finance the public improvement, and which sets at least three public hearings thereon before the legislative authority of the sponsor or a committee thereof: **PROVIDED**, That public hearings for the public improvement that is undertaken in combination or coordination by two or more sponsors may be held jointly; and public hearings, held before the legislative authority or a committee of a majority thereof may be combined with public hearings held for other purposes;

(2) At least fifteen days in advance of the hearing:

(a) Deliver notice of the hearing to all taxing districts, the county treasurer, and the county assessor, which notice includes a map or drawing showing the location of the contemplated public improvement and the boundaries of the proposed apportionment district, a brief description of the public improvement, the estimated cost thereof, the anticipated increase in property values within the apportionment district, the location of the sponsor's principal business office where it will maintain information concerning the public improvement for public inspection, and the date and place of hearing; and

(b) Post notice in at least six public places located in the proposed apportionment district and publish notice in a legal newspaper of general circulation within the sponsor's jurisdiction briefly describing the public improvement, the proposed apportionment, the boundaries of the proposed apportionment district, the location where additional information concerning the public improvement may be inspected, and the date and place of hearing;

(3) At the time and place fixed for the hearing under subsection (1) of this section, and at such times to which the hearing may be adjourned, receive and consider all statements and materials as may be submitted, and objections and letters filed before or within ten days thereafter;

(4) Within one hundred twenty days after completion of the public hearings, pass an ordinance establishing the apportionment district and authorizing the proposed public improvement, including any modifications which in the sponsor's opinion the hearings indicated should be made, which includes the boundaries of the

apportionment district, a description of the public improvement, the estimated cost thereof, the portion of the estimated cost thereof to be reimbursed from tax allocation revenues, the estimated time during which regular property taxes are to be apportioned, the date upon which apportionment of the regular property taxes will commence, and a finding that the public improvement meets the conditions of section 4 of this act.

NEW SECTION. Sec. 6. NOTICE OF PUBLIC IMPROVEMENT. Within fifteen days after enactment of the public improvement ordinance, the sponsor shall publish notice in a legal newspaper circulated within the designated apportionment district summarizing the final public improvement, including a brief description of the public improvement, the boundaries of the apportionment district, and the location where the public improvement ordinance and any other information concerning the public improvement may be inspected.

Within fifteen days after enactment of the public improvement ordinance, the sponsor shall deliver a certified copy thereof to each taxing district, the county treasurer, and the county assessor.

NEW SECTION. Sec. 7. DISAGREEMENTS BETWEEN TAXING DISTRICTS. (1) Any taxing district that objects to the apportionment district, the duration of the apportionment, the manner of apportionment, or the propriety of cost items established by the public improvement ordinance of the sponsor may, within thirty days after receipt of the ordinance, petition for review thereof by the state board of tax appeals. The state board of tax appeals shall meet within a reasonable time, hear all the evidence presented by the parties on matters in dispute, and determine the issues upon the evidence as may be presented to it at the hearing. The board may approve or deny the public improvement ordinance as enacted or may grant approval conditioned upon modification of the ordinance by the sponsor. The decision by the state board of tax appeals shall be final and conclusive but shall not preclude modification or discontinuation of the public improvement.

(2) If the sponsor modifies the public improvement ordinance as directed by the board, the public improvement ordinance shall be effective without further hearings or findings and shall not be subject to any further appeal. If the sponsor modifies the public improvement ordinance in a manner other than as directed by the board, the public improvement ordinance shall be subject to the procedures established pursuant to sections 5 and 6 of this act.

NEW SECTION. Sec. 8. APPORTIONMENT OF TAXES. (1) Upon the date established in the public improvement ordinance, but not sooner than the first day of the calendar year following the passage of the ordinance, the regular property taxes levied upon the assessed value of real property within the apportionment district shall be divided as follows:

(a) That portion of the regular property taxes produced by the rate of tax levied each year by or for each of the taxing districts upon the tax allocation base value of real property, or upon the assessed value of real property in each year, whichever is smaller, shall be allocated to and paid to the respective taxing districts; and

(b) That portion of the regular property taxes levied each year by or for each of the taxing districts upon the assessed value of real property within an apportionment district which is in excess of the tax allocation base value of real property shall be allocated and paid to the sponsor, or the sponsor's designated agent, until all public improvement costs to be paid from the tax allocation revenues have been paid, except that the sponsor may agree to receive less than the full amount of such portion as long as bond debt service, reserve, and other bond covenant requirements are satisfied, in which case the balance of the taxes shall be allocated to the respective taxing districts as the sponsor and the taxing districts may agree.

(2) The county assessor shall revalue the real property within the apportionment district for the purpose of determining the tax allocation base value for the

apportionment district and shall certify to the sponsor the tax allocation base value as soon as practicable after the assessor receives notice of the public improvement ordinance and shall certify to the sponsor the total assessed value of real property within thirty days after the property values for each succeeding year have been established, except that the assessed value of state-assessed real property within the apportionment district shall be certified as soon as the values are provided to the assessor by the department of revenue. Nothing in this section authorizes revaluations of real property by the assessor for property taxation that are not made in accordance with the assessor's revaluation plan under chapter 84.41 RCW.

(3) The date upon which the apportionment district was established shall be considered the date upon which the public improvement ordinance was enacted by the sponsor.

(4) The apportionment of regular property taxes under this section shall cease when tax allocation revenues are no longer necessary or obligated to pay public improvement costs or to pay principal of and interest on bonds issued to finance public improvement costs and payable in whole or in part from tax allocation revenues. At the time of termination of the apportionment, any excess money and any earnings thereon held by the sponsor shall be returned to the county treasurer and distributed to the taxing districts which were subject to the allocation in proportion to their regular property tax levies due for the year in which the funds are returned.

NEW SECTION. Sec. 9. APPLICATION OF TAX ALLOCATION REVENUES. Tax allocation revenues may be applied as follows:

(1) To pay public improvement costs;

(2) To pay principal of and interest on, and to fund any necessary reserves for, tax allocation bonds;

(3) To pay into bond funds established to pay the principal of and interest on general obligation bonds issued pursuant to law to finance public facilities that are specified in the public improvement ordinance and constructed following the establishment of and within the apportionment district; or

(4) To pay any combination of the foregoing.

NEW SECTION. Sec. 10. GENERAL OBLIGATION BONDS. General obligation bonds which are issued to finance public facilities that are specified in the public improvement ordinance, and for which part or all of the principal or interest is paid by tax allocation revenues, shall be subject to the following requirements:

(1) The intent to issue such bonds and the maximum amount which the sponsor contemplates issuing are specified in the public improvement ordinance; and

(2) A statement of the intent of the sponsor to issue such bonds is included in all notices required by sections 5 and 6 of this act.

In addition, the ordinance or resolution authorizing the issuance of such general obligation bonds shall be subject to potential referendum approval by the voters of the issuing entity when the bonds are part of the non-voter approved indebtedness limitation established pursuant to RCW 39.36.020. If the voters of the county or city issuing such bonds otherwise possess the general power of referendum on county or city matters, the ordinance or resolution shall be subject to that procedure. If the voters of the county or city issuing such bonds do not otherwise possess the general power of referendum on county or city matters, the referendum shall conform to the requirements and procedures for referendum petitions provided for code cities in RCW 35A.11.100.

NEW SECTION. Sec. 11. TAX ALLOCATION BONDS. (1) A sponsor may issue such tax allocation bonds as it may deem appropriate for the financing of public improvement costs and a reasonable bond reserve and for the refunding of any outstanding tax allocation bonds.

(2) The principal and interest of tax allocation bonds may be made payable from:

(a) Tax allocation revenues;

(b) Project revenues which may include (i) nontax income, revenues, fees, and rents from the public improvement financed with the proceeds of the bonds, or portions thereof, and (ii) contributions, grants, and nontax money available to the sponsor for payment of costs of the public improvement or the debt service of the bonds issued therefor;

(c) Any combination of the foregoing.

(3) Tax allocation bonds shall not be the general obligation of or guaranteed by all or any part of the full faith and credit of the sponsor or any other state or local government, or any tax revenues other than tax allocation revenues, and shall not be considered a debt of the sponsor or other state or local government for general indebtedness limitation purposes.

(4) The terms and conditions of tax allocation bonds may include provisions for the following matters, among others:

(a) The date of issuance, maturity date or dates, denominations, form, series, negotiability, registration, rank or priority, place of payment, interest rate or rates which may be fixed or may vary over the life of the tax allocation bonds, bond reserve, coverage, and such other terms related to repayment of the tax allocation bonds;

(b) The application of tax allocation bond proceeds; the use, sale, or disposition of property acquired; consideration or rents and fees to be charged in the sale or lease of property acquired; consideration or rents and fees to be charged in the sale or lease of property within a public improvement; the application of rents, fees, and revenues within a public improvement; the maintenance, insurance, and replacement of property within a public improvement; other encumbrances, if any, upon all or part of property within a public improvement, then existing or thereafter acquired; and the type of debts that may be incurred;

(c) The creation of special funds; the money to be so applied; and the use and disposition of the money;

(d) The securing of the tax allocation bonds by a pledge of property and property rights, by assignment of income generated by the public improvement, or by pledging such additional specifically described resources other than tax revenues as are available to the sponsor;

(e) The terms and conditions for redemption;

(f) The replacement of lost and destroyed bond instruments;

(g) Procedures for amendment of the terms and conditions of the tax allocation bonds;

(h) The powers of a trustee to enforce covenants and take other actions in event of default; the rights, liabilities, powers, and duties arising upon the breach of any covenant, condition, or obligation; and

(i) When consistent with the terms of this chapter, such other terms, conditions, and provisions which may make the tax allocation bonds more marketable and further the purposes of this chapter.

(5) Tax allocation bonds may be issued and sold in such manner as the legislative authority of the sponsor shall determine.

(6) The sponsor may also issue or incur obligations in anticipation of the receipt of tax allocation bond proceeds or other money available to pay public improvement costs.

NEW SECTION. Sec. 12. There is added to chapter 84.55 RCW a new section to read as follows:

ADJUSTMENT TO TAX LIMITATION. Pursuant to chapter 39.... RCW (sections 1 through 10 and 12 through 15 of this act), any increase in the assessed value of real property within an apportionment district resulting from new construction, improvements to property, or any increase in the assessed value of state-

assessed property shall not be included in the increase in assessed value resulting from new construction, improvements, or any increase in the assessed value of state-assessed property for purposes of calculating any limitations upon regular property taxes under this chapter until the termination of apportionment as set forth in section 8(4) of this act, as now or hereafter amended, except to the extent a taxing district actually will receive the taxes levied upon this value. Tax allocation revenues, as defined in section 3 of this act, as now or hereafter amended, shall not be deemed to be "regular property taxes" for purposes of this chapter.

NEW SECTION. Sec. 13. LEGAL INVESTMENTS. Tax allocation bonds authorized in this chapter shall be legal investments for any of the funds of the state and of municipal corporations, for trustees, and for other fiduciaries.

NEW SECTION. Sec. 14. NOTICE TO STATE. Whenever notice is required to be given to the state, notice shall be given to the director of revenue.

NEW SECTION. Sec. 15. CONCLUSIVE PRESUMPTION OF VALIDITY. No direct or collateral attack on any public improvement, public improvement ordinance, or apportionment district purported to be authorized or created in conformance with applicable legal requirements, including the requirements of this chapter, may be commenced more than thirty days after publication of notice as required by section 6 of this act.

NEW SECTION. Sec. 16. SUPPLEMENTAL NATURE OF CHAPTER. This chapter supplements and neither restricts nor limits any powers which the state or any municipal corporation might otherwise have under any laws of this state.

NEW SECTION. Sec. 17. CAPTIONS NOT PART OF LAW. As used in this act, captions constitute no part of the law.

NEW SECTION. Sec. 18. 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. 19. Sections 1 through 10 and 12 through 15 of this act shall constitute a new chapter in Title 39 RCW.", and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

MOTION

On motion of Senator Zimmerman, the Senate concurred in the House amendments to Engrossed Second Substitute Senate Bill No. 4603.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 4603, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 32; nays, 12; absent or not voting, 3; excused, 2.

Voting yea: Senators Benitz, Bluechel, Charnley, Conner, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Moore, Patterson, Peterson, Quigg, Ridder, Scott, Talmadge, Vognild, von Reichbauer, Wilson, Wojahn, Zimmerman—32.

Voting nay: Senators Bottiger, Clarke, Craswell, Deccio, McCaslin, McDermott, Metcalf, Newhouse, Pullen, Shinpoch, Williams, Woody—12.

Absent or not voting: Senators Bauer, Lysen, Sellar—3.

Excused: Senators Rasmussen, Talley—2.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 4603, 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 Clarke, the Senate returned to the first order of business.

REPORT OF STANDING COMMITTEE

April 6, 1982.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1230, modifying appropriations for capital facilities (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 1, chapter 225, Laws of 1979 ex. sess. and RCW 28C.51-.010 are each amended to read as follows:

For the purpose of providing needed capital improvements consisting of the planning, acquisition, construction, remodeling, furnishing and equipping of a state fire service training center for the commission for vocational education, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of ~~((three million five hundred thousand))~~ six million dollars, or so much thereof as may be required, to finance these projects, and all costs incidental thereto. No bonds authorized by this chapter shall be offered for sale without prior legislative appropriation, and these bonds shall be paid and discharged within thirty years of the date of issuance in accordance with Article VIII, section 1 of the state Constitution.

Sec. 2. Section 27, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE COMMISSION FOR VOCATIONAL EDUCATION

Provide for planning, design, and construction of a Fire Service and Training Center: PROVIDED, That six hundred thousand dollars of the appropriated sum, or as much thereof as necessary, shall be used for the construction of a marine fire training structure.

	Reappropriation	Appropriation
GF, Fire Trng Constr Acct	4,159,000	<u>2,500,000</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
294,000		((4,453,000))
		<u>6,953,000</u>

Sec. 3. Section 74, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State	\$	20,093,000
General Fund Appropriation—Federal	\$	14,380,000
General Fund—Special Grass Seed Burning Research		
Account Appropriation	\$	35,000
General Fund—Reclamation Revolving Account		
Appropriation	\$	580,000
General Fund—Litter Control Account Appropria-		
tion	\$	4,110,000
Stream Gaging Basic Data Fund Appropriation	\$	200,000
General Fund—State and Local Improvements		
Revolving Account—Waste Disposal Facilities:		
Appropriated pursuant to chapter 127, Laws of		

1972 ex. sess. (Referendum 26).....	\$	54,315,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Reappropriation (Referendum 26)	\$	61,797,000
General Fund—Water Pollution Control Facilities Account Appropriation.....	\$	50,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27).....	\$	7,284,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation (Referendum 27)	\$	4,700,000
General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.	\$	7,358,000
General Fund—Emergency Water Project Revolving Account: Reappropriation	\$	6,500,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38).....	\$	18,095,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39)	\$	((84,780,000))
		<u>280,780,000</u>
Total Reappropriation	\$	72,997,000
Total New Appropriation	\$	((211,280,000))
		<u>407,280,000</u>
Total Appropriation	\$	((284,277,000))
		<u>480,277,000</u>
FTE Staff Years—Fiscal Year 1982		509.5
FTE Staff Years—Fiscal Year 1983		512.1

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

(1) On or before October 1, 1981, the department of ecology shall file with the committees on ways and means of the senate and house of representatives a master compilation by project type of those projects proposed for funding during the 1981-83 biennium from the appropriations for waste disposal facilities and water supply facilities. A separate compilation shall be supplied for each referendum bond issue. The department shall submit updates for the master compilation to the committees on ways and means at six-month intervals during the 1981-83 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering the projects. If the department proposes to change or modify any project list on the master compilation, it shall give the committees on ways and means thirty days' written notice of the change or modification prior to the expenditure or obligation of any funds appropriated by this section. The department shall immediately inform the committees of significant changes from historic federal funding levels for waste disposal facilities and water supply facilities.

(2) The appropriation from the state and local improvements revolving account—water supply facilities (Referendum 27) may be expended to pay up to 50% of the eligible cost of any project, as a grant or loan or combination thereof. Also, the department may lend up to 100% of the eligible costs of preconstruction

activities and the department may provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(3) The appropriation from the state and local improvements revolving account—waste disposal facilities (Referendum 26) may be expended by the department to pay for up to 50% of the eligible cost of any project, as a grant or up to 100% as a loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(4) The appropriation from the state and local improvements revolving account—waste disposal facilities 1980 (Referendum 39) may be expended by the department to pay up to 75% of the eligible cost of any project as a grant or up to 100% as a loan, or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(5) \$130,000 of the general fund—state appropriation is provided solely to augment current department planned expenditures for the assessment of sources of, and abatement programs for, toxic substances in Commencement Bay and its waterways. Of that amount:

(a) \$90,000 is for field and laboratory studies and activities needed for determining the source or sources of toxic substances in Commencement Bay and its waterways; and

(b) \$40,000 is for collecting and analyzing samples of sediments from any deep water portions of Commencement Bay that have been utilized for waste disposal sites, for the purpose of identifying the nature and extent of the wastes deposited.

(6) \$1,306,000 of the general fund—state appropriation is provided solely for the vehicle emission inspection program.

(7) \$196,000,000 of the state and local improvements revolving account—waste disposal facilities 1980 (Referendum 39) appropriation is subject to the following conditions and limitations:

(a) Any project to be funded from this appropriation must appear within the fundable portion of the approved department of ecology project priority list.

(b) The municipality must be ready to proceed with design and construction or construction only.

(c) The municipality must agree to a single lump sum grant not to exceed 50% of the eligible cost. This grant amount shall initially be based upon the best estimate of the total eligible design and construction costs or total eligible construction costs at the time of the grant award. This grant may be amended in accordance with the applicable grant percentage participation after bid award to reflect the actual bid award amount for construction costs, but in no case may the state's participation in the actual bid award amount exceed 10% of the original estimate for that same line item cost. Additionally, the grant shall be amended to allow for up to a 5% increase over the approved eligible bid amount including sales tax.

(d) The maximum grant to any municipality shall not exceed \$150,000,000.

(e) The grant contract must contain provisions limiting grant participation in accordance with state regulations.

(f) The grant contract must contain provisions which stipulate limitations on cash flow to protect the statutory debt ceiling of the state and any other provisions to protect the financial interests of the state.

NEW SECTION. Sec. 4. Section 39, chapter 143, Laws of 1981 (uncodified) is repealed.

NEW SECTION. Sec. 5. There is added to chapter 143, Laws of 1981 a new section to read as follows:

If the principal and interest requirements of outstanding state bonds, notes, or other evidences of indebtedness, and all such indebtedness as is hereafter issued, were to exceed the statutory debt limitation provided in RCW 39.42.060, the state finance committee shall issue bonds, notes, or other evidences of indebtedness of the state so as to not exceed the statutory debt limitation, in the following order of priority:

- (1) Priority A: Any bond authorizations necessary to meet contractual obligations of the state existing on the effective date of this section.
- (2) Priority B: Any remaining bond authorization of:
 - (a) Chapter 234, Laws of 1981 (social and health services and corrections facilities);
 - (b) Chapter 232, Laws of 1979 and chapter 131, Laws of 1981 (jail improvement and construction); and
 - (c) Substitute House Bill No. 1015 if enacted during the 1982 regular session of the legislature (convention center construction).
- (3) Priority C: Any remaining bond authorization of:
 - (a) Chapter 221, Laws of 1979 ex. sess. (handicapped persons—training and rehabilitation facilities);
 - (b) Chapter 237, Laws of 1981 (community college facilities);
 - (c) Chapter 233, Laws of 1981, exclusive of \$51,500,000 for hospital and related facilities for the University of Washington (higher education facilities);
 - (d) Chapter 232, Laws of 1981 (higher education facilities);
 - (e) Chapter 224, Laws of 1979 ex. sess. (fisheries facilities);
 - (f) Chapter 231, Laws of 1981 (fisheries facilities);
 - (g) Chapter 308, Laws of 1977 ex. sess. (salmon enhancement facilities);
 - (h) Chapter 235, Laws of 1981 (general administration, military, and court of appeals facilities);
 - (i) Chapter 229, Laws of 1979 ex. sess. (outdoor recreation facilities); and
 - (j) Chapter 236, Laws of 1981 (outdoor recreation facilities).
- (4) Priority D: Any remaining bond authorization of:
 - (a) Chapter 127, Laws of 1972 ex. sess.; chapter 128, Laws of 1972 ex. sess.; chapter 234, Laws of 1979 ex. sess.; chapter 258, Laws of 1979 ex. sess.; chapter 159, Laws of 1980 (\$84,780,000), notwithstanding any appropriation limitation (waste and water facilities);
 - (b) Chapter 233, Laws of 1981 (\$51,500,000 for hospital and related facilities for the University of Washington);
 - (c) Chapter 260, Laws of 1979 ex. sess. (performing arts facilities, Olympia, Tacoma);
 - (d) Chapter 225, Laws of 1979 ex. sess. (state fire service training center);
 - (e) Chapter 128, Laws of 1975-'76 2nd ex. sess. (Indian cultural facility); and
 - (f) Chapter 197, Laws of 1979 ex. sess. (Pacific Northwest festival facility).
- (5) Priority E: Any remaining bond authorization of chapter 159, Laws of 1980 (\$196,000,000 as provided in section 3 of this 1982 act for waste facilities).

If the state finance committee requires further prioritization within a particular priority grouping because of the requirement of the statutory debt limit, then the committee shall request such a list from the director of financial management. The director of financial management shall notify the state finance committee and the committees on ways and means of the senate and house of representatives of the priority list. The state finance committee shall utilize the list within a priority grouping with respect to the issuance of bonds, notes, or other evidences of indebtedness of the state.

Sec. 6. Section 2, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:

As used in this act, the following phrases have the following meanings:

- (1) "GF, Cap Bldg Constr Acct" means General Fund—Capitol Building Construction Account;
- (2) "GF, State Bldg Constr Acct" means General Fund—State Building Construction Account;
- (3) "GF, Fish Cap Proj Acct" means General Fund—Fisheries Capital Projects Account;
- (4) "GF, ORA" means General Fund—Outdoor Recreation Account;
- (5) "GF, Sal Enhmt Constr Acct" means General Fund—Salmon Enhancement Construction Account;
- (6) "GF, For Dev Acct" means General Fund—Forest Development Account;
- (7) "GF, Res Mgmt Cost Acct" means General Fund—Resource Management Cost Account;
- (8) "GF, LIRA, DSHS Fac" means General Fund—Local Improvements Revolving Account—Department of Social and Health Services Facilities;
- (9) "GF, DSHS Constr Acct" means General Fund—State Social and Health Services Construction Account;
- (10) "GF, CEP & RI Acct" means General Fund—Charitable, Educational, Penal, and Reformatory Institutions Account;
- (11) "GF, Fire Trng Constr Acct" means General Fund—Fire Training Construction Account;
- (12) "GF, WSU Constr Acct" means General Fund—Washington State University Construction Account;
- (13) "GF, WSU Bldg Acct" means General Fund—Washington State University Building Account;
- (14) "GF, St H Ed Constr Acct" means General Fund—State Higher Education Construction Account;
- (15) "GF, H Ed Constr Acct" means General Fund—Higher Education Construction Account 1979;
- (16) "GF, EWU Cap Proj Acct" means General Fund—Eastern Washington University Capital Projects Account;
- (17) "GF, TESC Cap Proj Acct" means General Fund—The Evergreen State College Capital Projects Account;
- (18) "GF, Com Col Cap Impvmt Acct" means General Fund—Community College Capital Improvement Account;
- (19) "GF, Com Col Cap Proj Acct" means General Fund—Community College Capital Projects Account;
- (20) "GF, Com Col Cap Constr Acct" means General Fund—1975 Community College Capital Construction Account;
- (21) "GF, CWU Cap Proj Acct" means General Fund—Central Washington University Capital Projects Account;
- (22) "GF, UW Bldg Acct" means General Fund—University of Washington Building Account;
- (23) "GF, St Bldg Auth Constr Acct" means General Fund—State Building Authority Construction Account;
- (24) "GF, WWU Cap Proj Acct" means General Fund—Western Washington University Capital Projects Account;
- (25) "GF, Cap Purch & Dev Acct" means General Fund—Capitol Purchase and Development Account;
- (26) "GF, Hndcp Fac Constr Acct" means General Fund—Handicapped Facilities Construction Account;
- (27) "GF, LIRA, Waste Disp Fac" means General Fund—State and Local Improvement Revolving Account—Waste Disposal Facilities;

(28) "GF, State Emerg Water Proj Rev" means General Fund—Emergency Water Project Revolving Fund—State;

(29) "GF, LIRA, Waste Fac 1980" means General Fund—State and Local Improvement Revolving Account—Waste Facilities 1980;

(30) "GF, (~~Public Water Supply~~) LIRA, Water Sup Fac" means General Fund—(~~Public Water Supply Bond~~) State and Local Improvements Revolving Account—Water Supply Facilities;

(31) "GF, LIRA" means General Fund—State and Local Improvements Revolving Account.

(~~32~~) (32) "GF, LIRA, Public Rec Fac" means General Fund State and Local Improvement Revolving Account—Public Recreation Facilities;

(~~33~~) (33) "GF, Snowmobile Acct" means General Fund—Snowmobile Account;

(~~34~~) (34) "Game Fund—Game Sp Wildlife Acct" means Game Fund—Game Special Wildlife Account;

(~~35~~) (35) "GF, Pacific Northwest Festival Facility Constr Acct" means General Fund—Pacific Northwest Festival Facility Construction Account;

(~~36~~) (36) "GF, Cultural Facilities Constr Acct" means General Fund—Cultural Facilities Construction Account;

(~~37~~) (37) "GF, Indian Cultural Center Constr Acct" means General Fund—Indian Cultural Center Construction Account(;-);

(~~38~~) (38) The words "capital improvements" or "capital projects" used in this act mean acquisition of sites, easements, rights of way, or improvements thereon and appurtenances thereto, construction and initial equipment, reconstruction, demolition, or major alterations of new or presently owned capital assets.

Sec. 7. Section 13, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

(1) Provide low water fixtures to reduce water in drainfields, Alta Lake State Park.

	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	112,800	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		112,800

(2) Install new septic tank and drainfield, renovate and activate restroom showers, Illahee State Park.

	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	8,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		8,600

(3) Provide new septic tank and replace drainfield, Lake Chelan State Park.

	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	25,400	

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		25,400

(4) Eliminate storm sewer entry into sanitary sewer, Fort Columbia State Park.

	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	17,000	

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		17,000

(5) Acquire lands for the purpose of establishing an estuarine sanctuary in Padilla Bay.

	Reappropriation	Appropriation
GF, ORA—State		550,000
General Fund—Federal		1,112,869

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
70,000		1,732,869

(6) Provide sewage system improvements, Blake Island State Park.

	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	215,700	

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		215,700

(7) To construct waste disposal facilities at various state park facilities state-wide.

	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	713,000	

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
33,600		746,000

(8) To construct water supply facilities at various state park facilities state-wide.

	Reappropriation	Appropriation
GF, ((Public Water Supply)) LIRA	197,900	

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
22,100		220,000

(9) Drill eight wells to acquire hydrologic and geologic subsurface data, Island County.

	Reappropriation	Appropriation
GF, State Emerg Water Proj Rev	204,000	480,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
977,000	580,000	2,241,000

(10) Equip three marine parks (Squaxin Island, Jones Island, and Sucia Island) with self-contained organic sewage treatment systems.

	Reappropriation	Appropriation
GF, LIRA Waste Fac 1980		127,100
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		127,100

(11) Expand and improve the existing self-contained sewage treatment system at Flaming Geysers State Park.

	Reappropriation	Appropriation
GF, LIRA, Waste Fac 1980		85,200
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		85,200

(12) Provide facilities in twenty-seven parks for the disposal of marine sewage from Porta-Potties.

	Reappropriation	Appropriation
GF, LIRA, Waste Fac 1980		104,800
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		104,800

(13) Provide water service connection for fire protection and public use, Saint Edward State Park.

Reappropriation	Appropriation
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GF, ((Public Water Supply)) LIRA, Water Sup Fac 183,600

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
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183,600

(14) Develop additional 5,000-gallon reservoir, intercept collector lines and well, Jones Island State Park.

Reappropriation	Appropriation
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GF, ((Public Water Supply)) LIRA, Water Sup Fac 48,300

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
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48,300

(15) Provide 5,000-gallon reservoir, extend water system, and provide waste facility and unisex toilet, Blake Island State Park.

Reappropriation	Appropriation
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GF, ((Public Water Supply)) LIRA, Water Sup Fac 87,700

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
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87,700

(16) Provide potable water and electricity, Anderson Island State Park.

Reappropriation	Appropriation
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GF, ((Public Water Supply)) LIRA, Water Sup Fac 65,800

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
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65,800

(17) Renovate primary and secondary water distribution system, Larrabee State Park.

Reappropriation	Appropriation
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GF, ((Public Water Supply)) LIRA, Water Sup Fac 43,600

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
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43,600

(18) Connect Westhaven State Park water system to the municipal water system.

	Reappropriation	Appropriation
GF, ((Public Water Supply)) <u>LIRA, Water Sup Fac</u>		77,700
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		77,700

(19) Provide for water system improvements and 20,000-gallon reservoir, Fields Spring State Park.

	Reappropriation	Appropriation
GF, ((Public Water Supply)) <u>LIRA, Water Sup Fac</u>		107,300
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		107,300

(20) Provide for water system improvements, Sun Lakes State Park.

	Reappropriation	Appropriation
GF, ((Public Water Supply)) <u>LIRA, Water Sup Fac</u>		83,600
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		83,600

NEW SECTION. Sec. 8. There is added to chapter 143, Laws of 1981 a new section to read as follows:

FOR WASHINGTON STATE UNIVERSITY

For the planning, construction, and equipping of the Pullman/Washington State University Waste Water Treatment Plant improvements.

	Reappropriation	Appropriation
GF, WSU Bldg Acct		837,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
	282,000	837,000

NEW SECTION. Sec. 9. There is added to chapter 143, Laws of 1981 a new section to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

(1) For minor capital improvements.

	Reappropriation	Appropriation
GF, CWU Cap Proj Acct	0	334,600
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
0	0	334,600

(2) For utilities improvements.

	Reappropriation	Appropriation
GF, CWU Cap Proj Acct	0	233,900
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
0	0	233,900

NEW SECTION. Sec. 10. There is added to chapter 143, Laws of 1981 a new section to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

(1) Acquire rights of way access for land management.

	Reappropriation	Appropriation
General Fund—Resource Management Cost Account		275,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
666,000	1,600,000	3,386,000

(2) Construct and improve the Cedar Creek and Sherman Valley roads.

	Reappropriation	Appropriation
General Fund—ORV Account		108,200
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		475,000

(3) Construct and improve campsites, roads, trails, and other recreation projects.

	Reappropriation	Appropriation
General Fund—Outdoor Recreation Account—State	48,500	
Project Costs Through	Estimated Costs 7/1/83 and	Estimated Total Costs

6/30/81	Thereafter	
2,470,000	1,379,000	5,871,000

NEW SECTION. Sec. 11. There is added to chapter 143, Laws of 1981 a new section to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

(1) Minor remodel of the third and fourth floors of the insurance building for the OFM occupancy and relocation of secretary of state functions.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		332,000
Project Costs Through 6/30/83	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
332,000		332,000

(2) Conversion of existing storage center located in the basement of the public lands building for support services space.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		140,000
Project Costs Through 6/30/83	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
140,000		140,000

(3) Alteration to house office building; design and first phase of remodeling for ground floor hearing rooms.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		1,000,000
Project Costs Through 6/30/83	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
1,000,000	3,000,000	4,000,000

(4) Alterations to portion of state modular office building at Air Industrial Park for state printer.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		1,429,300
Project Costs Through 6/30/83	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
1,429,300	-0-	1,429,300

(5) Alteration of basement and ground floor of general administration building for use as office space; design only.

GF, Cap Bldg Constr Acct	Reappropriation	Appropriation 450,000
Project Costs Through 6/30/83 450,000	Estimated Costs 7/1/83 and Thereafter 5,050,000	Estimated Total Costs 5,500,000

(6) Rehabilitate Capitol Lake.

GF, Cap Bldg Constr Acct	Reappropriation	Appropriation 2,163,000

NEW SECTION. Sec. 12. There is added to chapter 143, Laws of 1981 a new section to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38) \$ 10,000,000

NEW SECTION. Sec. 13. There is added to chapter 43.99C RCW a new section to read as follows:

The department of social and health services is authorized to proceed with Phase III of Referendum 37 according to the department's recommendation, involving nineteen projects and totalling \$1,211,731.00. The moneys allocated in this section shall revert for reallocation if the final application for the project has not been submitted by December 31, 1982, and approved by March 31, 1983.

Sec. 14. Section 9, chapter 233, Laws of 1981 and RCW 28B.14G.900 are each amended to read as follows:

No provision of this chapter shall be deemed to repeal, override, or limit any provision of RCW 28B.15.210, 28B.15.310, (~~28B.15.401~~) 28B.15.402, 28B.20.700 through 28B.20.745, 28B.30.700 through 28B.30.780, or 28B.35.700 through 28B.35.790, nor any provision or covenant of the proceedings of the board of regents or board of trustees of any state institution of higher education hereafter taken in the issuance of its revenue bonds secured by a pledge of its general tuition fees and/or other revenues mentioned within such statutes. The obligation of the board to make the transfers provided for in RCW 28B.14G.060, chapters 28B.14C and 28B.14D RCW, and RCW (~~28B.20.727~~) 28B.20.757 shall be subject and subordinate to the lien and charge of any revenue bonds hereafter issued against general tuition fees and/or other revenues pledged to pay and secure such bonds, and on the moneys in the building account, capital project account, the individual institutions of higher education bond retirement funds and the University of Washington hospital local fund.

NEW SECTION. Sec. 15. The legislature recognizes that the local economies of many communities are heavily dependent on the timber and fishing industries of the state. The legislature also recognizes that the current economic recession has created extraordinarily high rates of unemployment in these communities. Therefore, the intent of section 16 of this act is to provide the director of fisheries with the funds to undertake enhancement projects which will:

(1) Improve the streams and rivers of this state which are important to the success of the state's natural stocks of salmon;

(2) Create employment opportunities for the citizens of those communities in which unemployment rates are high as a result of unemployment in the timber and fishing industries;

(3) Provide maximum utilization of existing salmon stocks; and

(4) Develop and implement mini-modular mobile hatchery complexes on rehabilitated streams.

NEW SECTION. Sec. 16. Section 15, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

(1) Renovate to meet health, safety, and code requirements.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	655,000	248,700
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		1,595,840

(2) Continue pollution abatement and pond cleaning to meet various water quality standards.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	732,000	1,269,715
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
	1,000,000	3,998,940

(3) Provide handicap access to various facilities.

	Reappropriation	Appropriation
General Fund—Federal		256,614
GF, Fish Cap Proj Acct	243,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		595,991

(4) Provide necessary replacements and alterations at facilities to maintain current productions.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	1,466,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		2,489,250

(5) Stabilize Jordan Creek at Skagit Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	216,000	224,266

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
	25,734	466,000

(6) Complete projects for improvement of operations and production efficiency.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	542,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
843,964		1,385,964

(7) Complete salmon enhancement program. The \$2,000,000 salmon enhancement construction account appropriation is to provide increased funding for the Skagit River spawning channel and is contingent on the enactment of Senate Bill No. 3586 during the 1981 regular session of the legislature. Up to five million dollars of the moneys available under this subsection may be used by the director of fisheries for projects under section 15 of this 1982 act.

	Reappropriation	Appropriation
GF, Sal Enhmt Constr Acct	14,381,000	2,000,000
General Fund—Federal	1,559,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
18,484,500		36,424,500

(8) Complete outdoor recreation account projects.

	Reappropriation	Appropriation
GF, ORA—State	((186,000))	
	<u>236,000</u>	
GF, ORA—Federal	((254,000))	
	<u>299,000</u>	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
590,327		1,030,327

(9) Replace auxiliary generators at various hatcheries.

	Reappropriation	Appropriation
General Fund—Federal		327,366
GF, Fish Cap Proj Acct	18,000	302,184
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
160,000		807,550

(10) Provide artificial reef structures in Puget Sound and Hood Canal.

	Reappropriation	Appropriation
GF, ORA—State	205,000	
GF, ORA—Federal	205,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		410,000

(11) Construct wooden walkways and handrails at Westhaven Cove Marina, Westport.

	Reappropriation	Appropriation
GF, ORA—State	62,000	
GF, ORA—Federal	62,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		124,000

(12) Develop breakwater launch ramp, loading and tie-up floats, sanitary facilities, parking, and other related facilities for recreational fishing at Snow Creek.

	Reappropriation	Appropriation
GF, ORA—State	322,500	
GF, ORA—Federal	322,500	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		645,000

(13) Construct public fishing pier and related facilities on the downtown Tacoma waterfront of Commencement Bay.

	Reappropriation	Appropriation
GF, ORA—State	339,250	99,250
GF, ORA—Federal	339,250	99,250
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		877,000

(14) Replace auxiliary fuel tanks at hatcheries.

	Reappropriation	Appropriation
General Fund—Federal		30,558
GF, Fish Cap Proj Acct		144,400
Project Costs	Estimated Costs	Estimated Total

Through 6/30/81	7/1/83 and Thereafter	Costs
(15) Rebuild main water supply, Humptulips Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		331,663
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
(16) Replace sand separator, Green River Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		91,175
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
91,175		
(17) Construct adult holding and spawning facilities, Buck Creek Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		340,769
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
340,769		
(18) Construct adult holding and spawning pond, Lewis River Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		439,520
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
439,520		
(19) Construct new incubation system, George Adams Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		392,832
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
392,832		

(20) Replace fishway intake, Sunset Falls.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		133,416
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		133,416

(21) Provide riprap for erosion control, Green River Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		39,519
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		39,519

(22) Provide isolated storage buildings or approved cabinet facilities for volatile products storage at primary hatchery locations.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		56,223
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		56,223

(23) Replace electrical service, Washougal Hatchery.

	Reappropriation	Appropriation
General Fund—Federal		77,260
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		77,260

(24) Install new incubation system, Lewis River Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		231,579
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		231,579

(25) Install intake pump, Skagit Hatchery.

Reappropriation	Appropriation
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GF, Fish Cap Proj Acct		161,912
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		161,912
(26) Replace storage building, Washougal Hatchery.		
	Reappropriation	Appropriation
General Fund—Federal		59,803
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		59,803
(27) Replace roofs, Kalama Falls and Elokommin Hatcheries.		
	Reappropriation	Appropriation
General Fund—Federal		51,623
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		51,623
(28) Install Heath incubators, Simpson Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		122,112
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		122,112
(29) Complete building renovation, Puyallup Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		130,567
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
74,470		205,037
(30) Cover work area with asphalt, Hood Canal Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		14,588
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs

6/30/81

Thereafter

14,588

(31) Install gas island, Elwha Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		9,209
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		9,209

(32) Install effluent-line booster pump, Humptulips Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		9,914
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		9,914

(33) Construct adult holding and spawning pond, Skykomish Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		194,700
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		194,700

(34) Install 10,000-gallon, fresh water, metal storage tank, Brinnon Laboratory.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		20,721
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		20,721

(35) Replace gravity pipeline, Hord Creek Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		179,166
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	

(36) Replace pond drains, Issaquah Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		207,254
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		207,254

(37) Install deep saltwater pipe and filter system, Brinnon Laboratory.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		68,600
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs

(38) Construct new storage buildings, Elwha, Humptulips, and Skagit Hatcheries.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		154,100
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		451,100

(39) Install Heath incubators, Washougal Hatchery.

	Reappropriation	Appropriation
General Fund—Federal		136,402
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		136,402

(40) Provide domestic water supply and incinerator toilet, Garrison Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		29,402
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		354,402

(41) Install Heath incubators and improve water supply, Skykomish Hatchery.

Reappropriation	Appropriation
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GF, Fish Cap Proj Acct 406,217

Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/81	7/1/83 and Thereafter	

406,217

(42) Install adult trapping weirs and salmon egg incubation boxes in various streams, western Washington.

Reappropriation Appropriation

GF, Fish Cap Proj Acct 140,920

Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/81	7/1/83 and Thereafter	

130,000	690,000	960,920
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(43) Construct adult pond separators, Soleduck Hatchery.

Reappropriation Appropriation

GF, Fish Cap Proj Acct 40,000 58,135

Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/81	7/1/83 and Thereafter	

172,063		270,198
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(44) Install incubation filters, Grays River Hatchery.

Reappropriation Appropriation

General Fund—Federal 160,062

Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/81	7/1/83 and Thereafter	

160,062

(45) Install permanent sills, Kalama Falls Hatchery.

Reappropriation Appropriation

General Fund—Federal 364,946

Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/81	7/1/83 and Thereafter	

(46) Improve adult holding pond and spawning structures, Elokomín Hatchery.

Reappropriation Appropriation

General Fund—Federal 71,497

Project Costs	Estimated Costs	Estimated Total
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Through 6/30/81	7/1/83 and Thereafter	Costs
(47) Install electric automated seawater system, Willapa Laboratory.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		8,820
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		8,820
(48) Improve grounds and blacktop laboratory site area, Brinnon Laboratory.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		46,983
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		46,983
(49) Repair gabion sill, Soleduck Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		47,092
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		47,092
(50) Asphalt rearing pond, Klickitat Hatchery.		
	Reappropriation	Appropriation
General Fund—Federal		36,392
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		36,392
(51) Repair standard ponds, Klickitat Hatchery.		
	Reappropriation	Appropriation
General Fund—Federal		266,066
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		266,066

(52) Construct public recreational fishing access facilities on the pontoon level of the Hood Canal bridge.

	Reappropriation	Appropriation
GF, ORA—State	190,000	
GF, ORA—Federal	190,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		380,000

(53) Place gravel on public recreational tideland area, Seahurst County Park.

	Reappropriation	Appropriation
GF, ORA—State		14,000
GF, ORA—Federal		14,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		28,000

(54) Place gravel on public recreational tideland area, Fay Bainbridge.

	Reappropriation	Appropriation
GF, ORA—State		7,000
GF, ORA—Federal		7,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		14,000

(55) Place gravel on public recreational tideland area, Quartermaster Harbor.

	Reappropriation	Appropriation
GF, ORA—State		4,250
GF, ORA—Federal		4,250
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		8,500

(56) Place gravel on public recreational tideland area, Fry Cove County Park.

	Reappropriation	Appropriation
GF, ORA—State		17,750
GF, ORA—Federal		17,750
Project Costs Through	Estimated Costs 7/1/83 and	Estimated Total Costs

6/30/81	Thereafter	
		35,500
(57) Place gravel on public recreational tideland area, Bywater Bay.		
	Reappropriation	Appropriation
GF, ORA—State		14,000
GF, ORA—Federal		14,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		28,000
(58) Renovate and improve to protect park and boat launch from erosion, Pillar Point.		
	Reappropriation	Appropriation
GF, ORA—State		81,700
GF, ORA—Federal		81,700
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		163,400
(59) Acquire tidelands and/or saltwater shoreline access.		
	Reappropriation	Appropriation
GF, ORA—State		100,000
GF, ORA—Federal		100,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		200,000
(60) Purchase a salmon rearing net pen complex.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		200,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		200,000

Sec. 17. Section 7, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:

~~FOR THE DEPARTMENT OF ((SOCIAL AND HEALTH SERVICES—
FOR ADULT)) CORRECTIONS~~

~~((The appropriations contained in this section shall be transferred to the department of corrections if a department of corrections is created during the 1981 regular session of the legislature.))~~

(1) Construct and equip a 100-man honor camp.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		100,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
3,207,259		3,307,259	9/81

(2) Construct and equip a 120-man housing unit at the Washington Corrections Center.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		500,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,927,000		3,427,000	9/81

(3) Convert 300-bed minimum security building to medium security at the Washington State Penitentiary.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		1,275,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
4,153,000		5,428,000	12/81

(4) Construct and equip maximum security facility at the Washington State Reformatory.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		1,000,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
11,054,000		12,054,000	6/82

(5) Renovate and expand visiting, dining, and recreation facility at the Washington State Reformatory.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		1,000,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
524,000		1,524,000	2/82

(6) Construct a 500-man medium security corrections center on the grounds of the Washington State Reformatory.

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,429,000		33,862,300	9/83

(7) To improve security, facilities, and utilities, Phase II, Washington State Penitentiary. PROVIDED, That if alternative housing arrangements are approved by the special master, \$2,500,000 of this appropriation, which is intended to be used only for the construction of temporary inmate housing, shall be placed in reserve and left unexpended. If construction has not begun by September 15, 1981, all remaining funds not disbursed or contractually obligated shall remain unexpended and shall be held in reserve unless a revised project schedule is approved by the director of financial management.

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
3,024,000	5,245,300	30,619,500	6/84

(8) Improve security, facilities, and ventilation at the Washington State Reformatory, Phase I. If construction has not begun by August 15, 1982, all remaining funds not disbursed or contractually obligated shall remain unexpended and shall be held in reserve unless a revised project schedule is approved by the director of financial management.

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
	8,911,400	9,634,800	12/85

(9) Purchase equipment for institutional industries at the Washington State Penitentiary (~~((81-83))~~), Washington State Reformatory (~~((83-85))~~), and Purdy Treatment Center for Women (~~((83-85))~~).

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
	((334,300))	((834,300)) <u>500,000</u>	6/83

(10) Make repairs and alterations to McNeil Island Penitentiary to maintain serviceability of the institution for short-term use by the state. If House Bill No. 459 is enacted during the 1981 regular session of the legislature, the funds unexpended as of June 30, 1981, shall be reappropriated for the 1981-83 biennium. If House Bill No. 459 is enacted during the 1981 regular session of the legislature, the GF, CEP & RI Acct appropriation shall be reduced by the amount of the appropriation in House Bill No. 459, but in no case shall the reappropriation plus the appropriation exceed \$2,674,900. If construction has not begun by September 15, 1981, all remaining funds not disbursed or contractually obligated shall remain unexpended and shall be held in reserve unless a revised project schedule is approved by the director of financial management.

		Reappropriation	Appropriation
GF, DSHS Constr Acct			674,900
GF, CEP & RI Acct			2,000,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
		2,674,900	6/83

(11) Repair and expand education building damaged by December 31, 1980, fire at Washington Corrections Center. If construction has not begun by August 15, 1981, all remaining funds not disbursed or contractually obligated shall remain unexpended and shall be held in reserve unless a revised project schedule is approved by the director of financial management.

		Reappropriation	Appropriation
GF, DSHS Constr Acct			1,386,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
		1,386,000	4/82

(12) Fire and safety improvements at the Washington State Penitentiary.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		220,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
529,000		749,000	9/81

(13) Fire and safety improvements at the Washington State Reformatory.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		700,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
604,000		1,304,000	9/81

(14) To repair and improve utilities and facilities—Omnibus: PROVIDED, That if a department of corrections is not created during the 1981 regular session of the legislature, this appropriation shall be transferred to the budget and fiscal services division of the department of social and health services.

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
		1,600,000	12/83

(15) Complete a ten-year facility plan by December 15, 1981, identifying year-by-year projected population for all institutional and noninstitutional correctional programs including jails; space standards for residential and support service facilities; the capacity of existing facility resources; and the projected demand for additional space based upon these projections, standards, and resources. It is the intent of this appropriation to provide the data to support the need for any additional correctional beds and, if needed, based on this data, to determine feasible locations for new adult corrections facilities and to initiate planning and design for any new facility(s): PROVIDED, That no funds shall be expended for design without this plan being presented to the house and senate ways and means committees.

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
		1,285,000	8/85

Sec. 18. Section 8, chapter 17, Laws of 1967 as last amended by section 111, chapter 136, Laws of 1981 and RCW 72.65.080 are each amended to read as follows:

The secretary may enter into contracts with the appropriate authorities for the payment of the cost of feeding and lodging and other expenses of housing work release participants. Such contracts may include any other terms and conditions as may be appropriate for the implementation of the work release program. In addition the secretary is authorized to acquire, by lease or contract, appropriate facilities for the housing of work release participants and providing for their subsistence and supervision. Such work release participants placed in leased or contracted facilities shall be required to reimburse the department the per capita cost of subsistence and lodging in accordance with the provisions and in the priority established by RCW 72.65.050(2). The location of such facilities shall ((not)) be subject to the zoning laws of the city or county in which they may be situated.

Sec. 19. Section 1, chapter 235, Laws of 1981 and RCW 43.83.172 are each amended to read as follows:

For the purpose of acquiring land and providing needed capital improvements consisting of the planning, acquisition, construction, remodeling, and furnishing, together with all improvements, enhancements, fixed equipment facilities of office buildings, parking facilities, and such other buildings, facilities, and utilities as are determined to be necessary to provide space including offices, committee rooms, hearing rooms, work rooms, and industrial-related space for the legislature, for

other elective officials, and such other state agencies as may be necessary, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of (~~eleven million two hundred~~) twelve million one hundred thirty thousand dollars, or so much thereof as may be required, to finance these projects, and all costs incidental thereto. No bonds authorized by RCW 43.83.172 through 43.83.182 may be offered for sale without prior legislative appropriation.

NEW SECTION. Sec. 20. There is added to chapter 143, Laws of 1981 a new section to read as follows:

If federal funds appropriated by this act from the outdoor recreation account in the general fund are not received, the agency or department may expend state general fund—outdoor recreation account moneys appropriated for other capital projects of the agency or department. This reallocation of appropriated moneys may be accomplished by the elimination, reduction, or combination of capital projects authorized by this act.

Expenditures under this section shall not be made without the prior approval of the director of financial management in consultation with the committees on ways and means of the senate and house of representatives.

NEW SECTION. Sec. 21. 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.

NEW SECTION. Sec. 22. 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."

On page 1, line 20 of the title, after "72.65.080;" insert "amending section 1, chapter 235, Laws of 1981 and RCW 43.83.172;"

Signed by: Senators Scott, Chairman; Bluechel, Craswell, Deccio, Haley, Hayner, Jones, Lee, Zimmerman.

On motion of Senator Clarke, the rules were suspended, Engrossed Substitute House Bill No. 1230 was advanced to second reading.

Senator Scott moved adoption of the committee amendment.

On motion of Senator Clarke, the Senate resolved itself into a Committee of the Whole, President Pro Tempore Guess in the Chair, for the purpose of considering Engrossed Substitute House Bill No. 1230.

COMMITTEE OF THE WHOLE

Engrossed Substitute House Bill No. 1230 was considered in the Committee of the Whole and reported back to the Senate, President Pro Tempore Guess presiding, with the recommendation that it do pass as amended.

On motion of Senator Clarke, the reading had in the Committee of the Whole was considered the second reading of Engrossed Substitute House Bill No. 1230.

On motion of Senator Scott, the following amendments to the committee amendments Engrossed Substitute House Bill No. 1230 adopted in the Committee of the Whole were adopted by the Senate:

On page 6, line 34, strike "; and" and insert "."

On page 6, line 35, strike all of subparagraph "(c)"

On page 7, following line 33, insert the following subparagraph: "(d) Substitute House Bill No. 1015 if enacted during the 1982 regular session of the legislature (convention center construction);"

Renumber the remaining subsections accordingly.

On page 10, strike lines 23 through 25 and renumber the remaining subsections accordingly.

On page 17, line 20, strike "Cap" and insert "State"

On page 27, beginning on line 26, after "and" strike "salmon egg incubation boxes" and insert "~~((salmon egg incubation boxes))~~ mini-modular mobile hatchery systems"

On page 31, line 6, after "complex" insert "; except a unit of eight pens from this complex shall be located at McNeil Island"

On page 36, after line 16, insert the following:

"NEW SECTION. Sec. 22. Section 114, chapter ... (ESSB 4369), Laws of 1982 1st ex. sess. is hereby repealed."

Re-number the sections consecutively and correct all internal references accordingly.

On page 1, line 22 of the title after "section;" insert "repealing section 114, chapter ... (ESSB 4369), Laws of 1982 1st ex. sess.;"

On motion of Senator Scott, the rules were suspended, Engrossed Substitute House Bill No. 1230, as amended by Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

PARLIAMENTARY INQUIRY

Senator Bottiger: "Mr. President, point of parliamentary inquiry and I am looking at rule 58 which says in the second paragraph that 'No amendment to the omnibus appropriations bill, commonly known as the budget or supplemental budget, adding any new item, or items, thereto not incorporated in the bill as reported by the ways and means committee, shall be adopted except by the affirmative vote of two-thirds of the senators elected.'

"My question is, now that we have reported the bill out of the committee of the whole, and were it on second reading, does it take a two-thirds or simple majority to amend the bill? The point I make is that this is the capital budget, it is not the omnibus appropriation bill, nor is it commonly known as 'the budget' or 'supplemental budget.'"

REMARKS BY SENATOR CLARKE

Senator Clarke: "It is my recollection that when the Senate elects to resolve itself into a committee of the whole and consider amendments in the committee of the whole, and the committee then reports back, that regardless of what the bill is, it has been considered by the committee of the whole. The President has ruled that the amendment procedure has been accomplished and terminated in the committee of the whole, and when the report of the committee of the whole is adopted and the Senate elects to regard the action in the committee of the whole as a second reading of the bill an the motion is passed to advance to third reading, that, in substance, completes the amendment process."

RELY BY THE PRESIDENT

President Cherberg: "In reply to Senator Bottiger, the President believes that the capital appropriation bill is an omnibus budget bill, therefore would require a two-thirds affirmative vote of the members elected to adopt an amendment."

MOTION

At 9:40 p.m., on motion of Senator Clarke, the Senate adjourned until 10:30 a.m., Wednesday, April 7, 1982.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-SEVENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wednesday, April 7, 1982.

The Senate was called to order at 10:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Talley. There being no objection, Senator Talley was excused.

The Color Guard, consisting of Pages David Steele and Joe Schock, presented the Colors. Reverend Charles Loyer, former pastor of Westminster United Presbyterian Church of Olympia, offered the prayer.

Reverend Loyer is now retired.

MOTION

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

SIGNED BY THE PRESIDENT

The President signed:

SECOND SUBSTITUTE SENATE BILL NO. 4603,
SUBSTITUTE SENATE JOINT RESOLUTION NO. 143.

MOTION

At 11:47 a.m., on motion of Senator Clarke, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:00 p.m.

MOTION

At 1:28 p.m., on motion of Senator Fleming, the Senate recessed until 3:01 p.m.

REMARKS BY SENATOR HAYNER

Senator Hayner announced the election of the Chief Clerk of the House, Patsy Williams. Also that it was the first time in history a woman had ever held that position.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1230, by Committee on Ways and Means (originally sponsored by Committee on Ways and Means, and Representative Chandler):

Modifying appropriations for capital facilities.

MOTIONS

On motion of Senator Clarke, the rules were suspended, Engrossed Substitute House Bill No. 1230 was returned to second reading.

On motion of Senator Clarke, the Senate resolved itself into a Committee of the Whole, President Pro Tempore Guess in the Chair, for the purpose of considering Engrossed Substitute House Bill No. 1230.

COMMITTEE OF THE WHOLE

Engrossed Substitute House Bill No. 1230 was considered in the Committee of the Whole and reported back to the Senate, President Pro Tempore Guess presiding, with the recommendation that it do pass as amended.

On motion of Senator Guess, the report of the committee was adopted.

On motion of Senator Clarke, the reading had in the Committee of the Whole was considered the second reading of Engrossed Substitute House Bill No. 1230.

On motion of Senator Scott, the following amendments to Engrossed Substitute House Bill No. 1230 adopted by the Committee of the Whole were adopted in the Senate:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 1, chapter 225, Laws of 1979 ex. sess. and RCW 28C.51-.010 are each amended to read as follows:

For the purpose of providing needed capital improvements consisting of the planning, acquisition, construction, remodeling, furnishing and equipping of a state fire service training center for the commission for vocational education, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of ~~((three million five hundred thousand))~~ six million dollars, or so much thereof as may be required, to finance these projects, and all costs incidental thereto. No bonds authorized by this chapter shall be offered for sale without prior legislative appropriation, and these bonds shall be paid and discharged within thirty years of the date of issuance in accordance with Article VIII, section 1 of the state Constitution.

Sec. 2. Section 27, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE COMMISSION FOR VOCATIONAL EDUCATION

Provide for planning, design, and construction of a Fire Service and Training Center: PROVIDED, That six hundred thousand dollars of the appropriated sum, or as much thereof as necessary, shall be used for the construction of a marine fire training structure.

	Reappropriation	Appropriation
GF, Fire Trng Constr Acct	4,159,000	<u>2,500,000</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
294,000		((4,453,000))
		<u>6,953,000</u>

Sec. 3. Section 74, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State	\$	20,093,000
General Fund Appropriation—Federal	\$	14,380,000

General Fund—Special Grass Seed Burning Research Account Appropriation	\$	35,000
General Fund—Reclamation Revolving Account Appropriation	\$	580,000
General Fund—Litter Control Account Appropria- tion	\$	4,110,000
Stream Gaging Basic Data Fund Appropriation	\$	200,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26)	\$	54,315,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Reappropriation (Referendum 26)	\$	61,797,000
General Fund—Water Pollution Control Facilities Account Appropriation	\$	50,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27)	\$	7,284,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation (Referendum 27)	\$	4,700,000
General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.	\$	7,358,000
General Fund—Emergency Water Project Revolving Account: Reappropriation	\$	6,500,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)	\$	18,095,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39)	\$	(84,780,000)
		<u>280,780,000</u>
Total Reappropriation	\$	72,997,000
Total New Appropriation	\$	(211,280,000)
		<u>407,280,000</u>
Total Appropriation	\$	(284,277,000)
		<u>480,277,000</u>

FTE Staff Years—Fiscal Year 1982 509.5
 FTE Staff Years—Fiscal Year 1983 512.1

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

(1) On or before October 1, 1981, the department of ecology shall file with the committees on ways and means of the senate and house of representatives a master compilation by project type of those projects proposed for funding during the 1981-83 biennium from the appropriations for waste disposal facilities and water supply facilities. A separate compilation shall be supplied for each referendum bond issue. The department shall submit updates for the master compilation to the committees on ways and means at six-month intervals during the 1981-83 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made

during the course of administering the projects. If the department proposes to change or modify any project list on the master compilation, it shall give the committees on ways and means thirty days' written notice of the change or modification prior to the expenditure or obligation of any funds appropriated by this section. The department shall immediately inform the committees of significant changes from historic federal funding levels for waste disposal facilities and water supply facilities.

(2) The appropriation from the state and local improvements revolving account—water supply facilities (Referendum 27) may be expended to pay up to 50% of the eligible cost of any project, as a grant or loan or combination thereof. Also, the department may lend up to 100% of the eligible costs of preconstruction activities and the department may provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(3) The appropriation from the state and local improvements revolving account—waste disposal facilities (Referendum 26) may be expended by the department to pay for up to 50% of the eligible cost of any project, as a grant or up to 100% as a loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(4) The appropriation from the state and local improvements revolving account—waste disposal facilities 1980 (Referendum 39) may be expended by the department to pay up to 75% of the eligible cost of any project as a grant or up to 100% as a loan, or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(5) \$130,000 of the general fund—state appropriation is provided solely to augment current department planned expenditures for the assessment of sources of, and abatement programs for, toxic substances in Commencement Bay and its waterways. Of that amount:

(a) \$90,000 is for field and laboratory studies and activities needed for determining the source or sources of toxic substances in Commencement Bay and its waterways; and

(b) \$40,000 is for collecting and analyzing samples of sediments from any deep water portions of Commencement Bay that have been utilized for waste disposal sites, for the purpose of identifying the nature and extent of the wastes deposited.

(6) \$1,306,000 of the general fund—state appropriation is provided solely for the vehicle emission inspection program.

(7) \$196,000,000 of the state and local improvements revolving account—waste disposal facilities 1980 (Referendum 39) appropriation is subject to the following conditions and limitations:

(a) Any project to be funded from this appropriation must appear within the fundable portion of the approved department of ecology project priority list.

(b) The municipality must be ready to proceed with design and construction or construction only.

(c) The municipality must agree to a single lump sum grant not to exceed 50% of the eligible cost. This grant amount shall initially be based upon the best estimate of the total eligible design and construction costs or total eligible construction costs at the time of the grant award. This grant may be amended in accordance with the applicable grant percentage participation after bid award to reflect the actual bid award amount for construction costs, but in no case may the state's participation in the actual bid award amount exceed 10% of the original estimate for that same line item cost. Additionally, the grant shall be amended to allow for up to a 5% increase over the approved eligible bid amount including sales tax.

(d) The maximum grant to any municipality shall not exceed \$150,000,000.

(e) The grant contract must contain provisions limiting grant participation in accordance with state regulations.

(f) The grant contract must contain provisions which stipulate limitations on cash flow to protect the statutory debt ceiling of the state and any other provisions to protect the financial interests of the state.

NEW SECTION. Sec. 4. Section 39, chapter 143, Laws of 1981 (uncodified) is repealed.

NEW SECTION. Sec. 5. There is added to chapter 143, Laws of 1981 a new section to read as follows:

If the principal and interest requirements of outstanding state bonds, notes, or other evidences of indebtedness, and all such indebtedness as is hereafter issued, were to exceed the statutory debt limitation provided in RCW 39.42.060, the state finance committee shall issue bonds, notes, or other evidences of indebtedness of the state so as to not exceed the statutory debt limitation, in the following order of priority:

(1) Priority A: Any bond authorizations necessary to meet contractual obligations of the state existing on the effective date of this section.

(2) Priority B: Any remaining bond authorization of:

(a) Chapter 234, Laws of 1981 (social and health services and corrections facilities);

(b) Chapter 232, Laws of 1979 and chapter 131, Laws of 1981 (jail improvement and construction); and

(c) Substitute House Bill No. 1015 if enacted during the 1982 regular session of the legislature (convention center construction).

(3) Priority C: Any remaining bond authorization of:

(a) Chapter 221, Laws of 1979 ex. sess. (handicapped persons—training and rehabilitation facilities);

(b) Chapter 237, Laws of 1981 (community college facilities);

(c) Chapter 233, Laws of 1981, exclusive of \$51,500,000 for hospital and related facilities for the University of Washington (higher education facilities);

(d) Chapter 232, Laws of 1981 (higher education facilities);

(e) Chapter 224, Laws of 1979 ex. sess. (fisheries facilities);

(f) Chapter 231, Laws of 1981 (fisheries facilities);

(g) Chapter 308, Laws of 1977 ex. sess. (salmon enhancement facilities);

(h) Chapter 235, Laws of 1981 (general administration, military, and court of appeals facilities);

(i) Chapter 229, Laws of 1979 ex. sess. (outdoor recreation facilities); and

(j) Chapter 236, Laws of 1981 (outdoor recreation facilities).

(4) Priority D: Any remaining bond authorization of:

(a) Chapter 127, Laws of 1972 ex. sess.; chapter 128, Laws of 1972 ex. sess.; chapter 234, Laws of 1979 ex. sess.; chapter 258, Laws of 1979 ex. sess.; chapter 159, Laws of 1980 (\$84,780,000), notwithstanding any appropriation limitation (waste and water facilities);

(b) Chapter 233, Laws of 1981 (\$51,500,000 for hospital and related facilities for the University of Washington);

(c) Chapter 260, Laws of 1979 ex. sess. (performing arts facilities, Olympia, Tacoma);

(d) Chapter 225, Laws of 1979 ex. sess. (state fire service training center);

(e) Chapter 128, Laws of 1975-'76 2nd ex. sess. (Indian cultural facility); and

(f) Chapter 197, Laws of 1979 ex. sess. (Pacific Northwest festival facility).

(5) Priority E: Any remaining bond authorization of chapter 159, Laws of 1980 (\$196,000,000 as provided in section 3 of this 1982 act for waste facilities).

If the state finance committee requires further prioritization within a particular priority grouping because of the requirement of the statutory debt limit, then the committee shall request such a list from the director of financial management. The director of financial management shall notify the state finance committee and the committees on ways and means of the senate and house of representatives of the priority list. The state finance committee shall utilize the list within a priority grouping with respect to the issuance of bonds, notes, or other evidences of indebtedness of the state.

Sec. 6. Section 2, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:

As used in this act, the following phrases have the following meanings:

- (1) "GF, Cap Bldg Constr Acct" means General Fund—Capitol Building Construction Account;
- (2) "GF, State Bldg Constr Acct" means General Fund—State Building Construction Account;
- (3) "GF, Fish Cap Proj Acct" means General Fund—Fisheries Capital Projects Account;
- (4) "GF, ORA" means General Fund—Outdoor Recreation Account;
- (5) "GF, Sal Enhmt Constr Acct" means General Fund—Salmon Enhancement Construction Account;
- (6) "GF, For Dev Acct" means General Fund—Forest Development Account;
- (7) "GF, Res Mgmt Cost Acct" means General Fund—Resource Management Cost Account;
- (8) "GF, LIRA, DSHS Fac" means General Fund—Local Improvements Revolving Account—Department of Social and Health Services Facilities;
- (9) "GF, DSHS Constr Acct" means General Fund—State Social and Health Services Construction Account;
- (10) "GF, CEP & RI Acct" means General Fund—Charitable, Educational, Penal, and Reformatory Institutions Account;
- (11) "GF, Fire Trng Constr Acct" means General Fund—Fire Training Construction Account;
- (12) "GF, WSU Constr Acct" means General Fund—Washington State University Construction Account;
- (13) "GF, WSU Bldg Acct" means General Fund—Washington State University Building Account;
- (14) "GF, St H Ed Constr Acct" means General Fund—State Higher Education Construction Account;
- (15) "GF, H Ed Constr Acct" means General Fund—Higher Education Construction Account 1979;
- (16) "GF, EWU Cap Proj Acct" means General Fund—Eastern Washington University Capital Projects Account;
- (17) "GF, TESC Cap Proj Acct" means General Fund—The Evergreen State College Capital Projects Account;
- (18) "GF, Com Col Cap Impvmt Acct" means General Fund—Community College Capital Improvement Account;
- (19) "GF, Com Col Cap Proj Acct" means General Fund—Community College Capital Projects Account;
- (20) "GF, Com Col Cap Constr Acct" means General Fund—1975 Community College Capital Construction Account;
- (21) "GF, CWU Cap Proj Acct" means General Fund—Central Washington University Capital Projects Account;
- (22) "GF, UW Bldg Acct" means General Fund—University of Washington Building Account;

(23) "GF, St Bldg Auth Constr Acct" means General Fund—State Building Authority Construction Account;

(24) "GF, WWU Cap Proj Acct" means General Fund—Western Washington University Capital Projects Account;

(25) "GF, Cap Purch & Dev Acct" means General Fund—Capitol Purchase and Development Account;

(26) "GF, Hndcp Fac Constr Acct" means General Fund—Handicapped Facilities Construction Account;

(27) "GF, LIRA, Waste Disp Fac" means General Fund—State and Local Improvement Revolving Account—Waste Disposal Facilities;

(28) "GF, State Emerg Water Proj Rev" means General Fund—Emergency Water Project Revolving Fund—State;

(29) "GF, LIRA, Waste Fac 1980" means General Fund—State and Local Improvement Revolving Account—Waste Facilities 1980;

(30) "GF, (~~Public Water Supply~~) LIRA, Water Sup Fac" means General Fund—(~~Public Water Supply Bond~~) State and Local Improvements Revolving Account—Water Supply Facilities;

(31) "GF, LIRA" means General Fund—State and Local Improvements Revolving Account.

(32) "GF, LIRA, Public Rec Fac" means General Fund State and Local Improvement Revolving Account—Public Recreation Facilities;

~~((32))~~ (33) "GF, Snowmobile Acct" means General Fund—Snowmobile Account;

~~((33))~~ (34) "Game Fund—Game Sp Wildlife Acct" means Game Fund—Game Special Wildlife Account;

~~((34))~~ "GF, Pacific Northwest Festival Facility Constr Acct" means General Fund—~~Pacific Northwest Festival Facility Construction Account;~~)

(35) "GF, Cultural Facilities Constr Acct" means General Fund—Cultural Facilities Construction Account;

(36) "GF, Indian Cultural Center Constr Acct" means General Fund—Indian Cultural Center Construction Account((:));

(37) The words "capital improvements" or "capital projects" used in this act mean acquisition of sites, easements, rights of way, or improvements thereon and appurtenances thereto, construction and initial equipment, reconstruction, demolition, or major alterations of new or presently owned capital assets.

Sec. 7. Section 13, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

(1) Provide low water fixtures to reduce water in drainfields, Alta Lake State Park.

	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	112,800	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		112,800

(2) Install new septic tank and drainfield, renovate and activate restroom showers, Illahee State Park.

	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	8,600	

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		8,600

(3) Provide new septic tank and replace drainfield, Lake Chelan State Park.

	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	25,400	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		25,400

(4) Eliminate storm sewer entry into sanitary sewer, Fort Columbia State Park.

	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	17,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		17,000

(5) Acquire lands for the purpose of establishing an estuarine sanctuary in Padilla Bay.

	Reappropriation	Appropriation
GF, ORA—State		550,000
General Fund—Federal		1,112,869
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
70,000		1,732,869

(6) Provide sewage system improvements, Blake Island State Park.

	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	215,700	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		215,700

(7) To construct waste disposal facilities at various state park facilities state-wide.

	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	713,000	

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
33,600		746,000

(8) To construct water supply facilities at various state park facilities state-wide.

	Reappropriation	Appropriation
GF, ((Public Water Supply)) <u>LIRA</u>	197,900	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
22,100		220,000

(9) Drill eight wells to acquire hydrologic and geologic subsurface data, Island County.

	Reappropriation	Appropriation
GF, State Emerg Water Proj Rev	204,000	480,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
977,000	580,000	2,241,000

(10) Equip three marine parks (Squaxin Island, Jones Island, and Sucia Island) with self-contained organic sewage treatment systems.

	Reappropriation	Appropriation
GF, LIRA Waste Fac 1980		127,100
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		127,100

(11) Expand and improve the existing self-contained sewage treatment system at Flaming Geysers State Park.

	Reappropriation	Appropriation
GF, LIRA, Waste Fac 1980		85,200
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		85,200

(12) Provide facilities in twenty-seven parks for the disposal of marine sewage from Porta-Potties.

	Reappropriation	Appropriation
GF, LIRA, Waste Fac 1980		104,800
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		104,800

(13) Provide water service connection for fire protection and public use, Saint Edward State Park.

	Reappropriation	Appropriation
GF, ((Public Water Supply)) <u>LIRA, Water Sup Fac</u>		183,600
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		183,600

(14) Develop additional 5,000-gallon reservoir, intercept collector lines and well, Jones Island State Park.

	Reappropriation	Appropriation
GF, ((Public Water Supply)) <u>LIRA, Water Sup Fac</u>		48,300
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		48,300

(15) Provide 5,000-gallon reservoir, extend water system, and provide waste facility and unisex toilet, Blake Island State Park.

	Reappropriation	Appropriation
GF, ((Public Water Supply)) <u>LIRA, Water Sup Fac</u>		87,700
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		87,700

(16) Provide potable water and electricity, Anderson Island State Park.

	Reappropriation	Appropriation
GF, ((Public Water Supply)) <u>LIRA, Water Sup Fac</u>		65,800
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		65,800

(17) Renovate primary and secondary water distribution system, Larrabee State Park.

Reappropriation Appropriation

GF, ((Public Water Supply)) <u>LIRA, Water Sup Fac</u>		43,600
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
	43,600	

(18) Connect Westhaven State Park water system to the municipal water system.

Reappropriation Appropriation

GF, ((Public Water Supply)) <u>LIRA, Water Sup Fac</u>		77,700
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		77,700

(19) Provide for water system improvements and 20,000-gallon reservoir, Fields Spring State Park.

Reappropriation Appropriation

GF, ((Public Water Supply)) <u>LIRA, Water Sup Fac</u>		107,300
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		107,300

(20) Provide for water system improvements, Sun Lakes State Park.

Reappropriation Appropriation

GF, ((Public Water Supply)) <u>LIRA, Water Sup Fac</u>		83,600
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		83,600

NEW SECTION. Sec. 8. There is added to chapter 143, Laws of 1981 a new section to read as follows:

FOR WASHINGTON STATE UNIVERSITY

For the planning, construction, and equipping of the Pullman/Washington State University Waste Water Treatment Plant improvements.

	Reappropriation	Appropriation
GF, WSU Bldg Acct		837,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs

282,000

837,000

NEW SECTION. Sec. 9. There is added to chapter 143, Laws of 1981 a new section to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

(1) For minor capital improvements.

	Reappropriation	Appropriation
GF, CWU Cap Proj Acct	0	334,600
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs

0

0

334,600

(2) For utilities improvements.

	Reappropriation	Appropriation
GF, CWU Cap Proj Acct	0	233,900
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs

0

0

233,900

NEW SECTION. Sec. 10. There is added to chapter 143, Laws of 1981 a new section to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

(1) Acquire rights of way access for land management.

	Reappropriation	Appropriation
General Fund—Resource Management Cost Account		275,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
666,000	1,600,000	3,386,000

(2) Construct and improve the Cedar Creek and Sherman Valley roads.

	Reappropriation	Appropriation
General Fund—ORV Account		108,200
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		475,000

(3) Construct and improve campsites, roads, trails, and other recreation projects.

		Reappropriation	Appropriation
General Fund—Outdoor Recreation			
Account—State		48,500	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/83 and		Costs
6/30/81	Thereafter		
2,470,000	1,379,000		5,871,000

NEW SECTION. Sec. 11. There is added to chapter 143, Laws of 1981 a new section to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

(1) Minor remodel of the third and fourth floors of the insurance building for the OFM occupancy and relocation of secretary of state functions.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct			332,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/83 and		Costs
6/30/83	Thereafter		
332,000			332,000

(2) Conversion of existing storage center located in the basement of the public lands building for support services space.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct			140,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/83 and		Costs
6/30/83	Thereafter		
140,000			140,000

(3) Alteration to house office building; design and first phase of remodeling for ground floor hearing rooms.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct			1,000,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/83 and		Costs
6/30/83	Thereafter		
1,000,000	3,000,000		4,000,000

(4) Alterations to portion of state modular office building at Air Industrial Park for state printer.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct			1,429,300
Project	Estimated		Estimated

Costs Through 6/30/83	Costs 7/1/83 and Thereafter	Total Costs
1,429,300	-0-	1,429,300

(5) Alteration of basement and ground floor of general administration building for use as office space; design only.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		450,000
Project Costs Through 6/30/83	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
450,000	5,050,000	5,500,000

(6) Rehabilitate Capitol Lake.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		2,163,000

NEW SECTION. Sec. 12. There is added to chapter 143, Laws of 1981 a new section to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38) \$ 10,000,000

NEW SECTION. Sec. 13. The department of social and health services is authorized to proceed with Phase III of Referendum 37 under chapter 43.99C RCW according to the department's recommendation, involving nineteen projects and totalling \$1,211,731.00. The moneys allocated in this section shall revert for reallocation if the final application for the project has not been submitted by December 31, 1982, and approved by March 31, 1983.

Sec. 14. Section 9, chapter 233, Laws of 1981 and RCW 28B.14G.900 are each amended to read as follows:

No provision of this chapter shall be deemed to repeal, override, or limit any provision of RCW 28B.15.210, 28B.15.310, (~~28B.15.401~~) 28B.15.402, 28B.20.700 through 28B.20.745, 28B.30.700 through 28B.30.780, or 28B.35.700 through 28B.35.790, nor any provision or covenant of the proceedings of the board of regents or board of trustees of any state institution of higher education hereafter taken in the issuance of its revenue bonds secured by a pledge of its general tuition fees and/or other revenues mentioned within such statutes. The obligation of the board to make the transfers provided for in RCW 28B.14G.060, chapters 28B.14C and 28B.14D RCW, and RCW (~~28B.20.727~~) 28B.20.757 shall be subject and subordinate to the lien and charge of any revenue bonds hereafter issued against general tuition fees and/or other revenues pledged to pay and secure such bonds, and on the moneys in the building account, capital project account, the individual institutions of higher education bond retirement funds and the University of Washington hospital local fund.

NEW SECTION. Sec. 15. The legislature recognizes that the local economies of many communities are heavily dependent on the timber and fishing industries of the state. The legislature also recognizes that the current economic recession has

created extraordinarily high rates of unemployment in these communities. Therefore, the intent of section 16 of this act is to provide the director of fisheries with the funds to undertake enhancement projects which will:

- (1) Improve the streams and rivers of this state which are important to the success of the state's natural stocks of salmon;
- (2) Create employment opportunities for the citizens of those communities in which unemployment rates are high as a result of unemployment in the timber and fishing industries;
- (3) Provide maximum utilization of existing salmon stocks; and
- (4) Develop and implement mini-modular mobile hatchery complexes on rehabilitated streams.

Sec. 16. Section 15, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

- (1) Renovate to meet health, safety, and code requirements.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	655,000	248,700
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
692,140		1,595,840

- (2) Continue pollution abatement and pond cleaning to meet various water quality standards.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	732,000	1,269,715
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
997,225	1,000,000	3,998,940

- (3) Provide handicap access to various facilities.

	Reappropriation	Appropriation
General Fund—Federal GF, Fish Cap Proj Acct	243,000	256,614
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
96,377		595,991

- (4) Provide necessary replacements and alterations at facilities to maintain current productions.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	1,466,000	
Project Costs	Estimated Costs	Estimated Total

Through 6/30/81	7/1/83 and Thereafter	Costs
1,023,250		2,489,250

(5) Stabilize Jordan Creek at Skagit Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	216,000	224,266
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
	25,734	466,000

(6) Complete projects for improvement of operations and production efficiency.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	542,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
843,964		1,385,964

(7) Complete salmon enhancement program. The \$2,000,000 salmon enhancement construction account appropriation is to provide increased funding for the Skagit River spawning channel and is contingent on the enactment of Senate Bill No. 3586 during the 1981 regular session of the legislature. Up to five million dollars of the moneys available under this subsection may be used by the director of fisheries for projects under section 15 of this 1982 act.

	Reappropriation	Appropriation
GF, Sal Enhmt Constr Acct	14,381,000	2,000,000
General Fund—Federal	1,559,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
18,484,500		36,424,500

(8) Complete outdoor recreation account projects.

	Reappropriation	Appropriation
GF, ORA—State	((186,000))	
	236,000	
GF, ORA—Federal	((254,000))	
	<u>299,000</u>	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
590,327		1,030,327

(9) Replace auxiliary generators at various hatcheries.

	Reappropriation	Appropriation
General Fund—Federal		327,366
GF, Fish Cap Proj Acct	18,000	302,184
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
160,000		807,550

(10) Provide artificial reef structures in Puget Sound and Hood Canal.

	Reappropriation	Appropriation
GF, ORA—State	205,000	
GF, ORA—Federal	205,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		410,000

(11) Construct wooden walkways and handrails at Westhaven Cove Marina, Westport.

	Reappropriation	Appropriation
GF, ORA—State	62,000	
GF, ORA—Federal	62,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		124,000

(12) Develop breakwater launch ramp, loading and tie-up floats, sanitary facilities, parking, and other related facilities for recreational fishing at Snow Creek.

	Reappropriation	Appropriation
GF, ORA—State	322,500	
GF, ORA—Federal	322,500	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		645,000

(13) Construct public fishing pier and related facilities on the downtown Tacoma waterfront of Commencement Bay.

	Reappropriation	Appropriation
GF, ORA—State	339,250	99,250
GF, ORA—Federal	339,250	99,250
Project Costs Through	Estimated Costs 7/1/83 and	Estimated Total Costs

	6/30/81	Thereafter	
			877,000
(14) Replace auxiliary fuel tanks at hatcheries.			
		Reappropriation	Appropriation
General Fund—Federal			30,558
GF, Fish Cap Proj Acct			144,400
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter		Estimated Total Costs
(15) Rebuild main water supply, Humptulips Hatchery.			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct			331,663
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter		Estimated Total Costs
(16) Replace sand separator, Green River Hatchery.			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct			91,175
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter		Estimated Total Costs
(17) Construct adult holding and spawning facilities, Buck Creek Hatchery.			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct			340,769
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter		Estimated Total Costs
(18) Construct adult holding and spawning pond, Lewis River Hatchery.			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct			439,520
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter		Estimated Total Costs
			439,520

(19) Construct new incubation system, George Adams Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		392,832
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		392,832

(20) Replace fishway intake, Sunset Falls.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		133,416
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		133,416

(21) Provide riprap for erosion control, Green River Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		39,519
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		39,519

(22) Provide isolated storage buildings or approved cabinet facilities for volatile products storage at primary hatchery locations.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		56,223
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		56,223

(23) Replace electrical service, Washougal Hatchery.

	Reappropriation	Appropriation
General Fund—Federal		77,260
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		77,260

(24) Install new incubation system, Lewis River Hatchery.

Reappropriation	Appropriation
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GF, Fish Cap Proj Acct		231,579
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		231,579

(25) Install intake pump, Skagit Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		161,912
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		161,912

(26) Replace storage building, Washougal Hatchery.

	Reappropriation	Appropriation
General Fund—Federal		59,803
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		59,803

(27) Replace roofs, Kalama Falls and Elokomin Hatcheries.

	Reappropriation	Appropriation
General Fund—Federal		51,623
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs

(28) Install Heath incubators, Simpson Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		122,112
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs

(29) Complete building renovation, Puyallup Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		130,567
Project Costs Through	Estimated Costs 7/1/83 and	Estimated Total Costs

6/30/81	Thereafter	
74,470		205,037

(30) Cover work area with asphalt, Hood Canal Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		14,588
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		14,588

(31) Install gas island, Elwha Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		9,209
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		9,209

(32) Install effluent-line booster pump, Humptulips Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		9,914
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		9,914

(33) Construct adult holding and spawning pond, Skykomish Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		194,700
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		194,700

(34) Install 10,000-gallon, fresh water, metal storage tank, Brinnon Laboratory.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		20,721
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		20,721

(35) Replace gravity pipeline, Hurd Creek Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		179,166
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs

(36) Replace pond drains, Issaquah Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		207,254
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		207,254

(37) Install deep saltwater pipe and filter system, Brinnon Laboratory.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		68,600
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs

(38) Construct new storage buildings, Elwha, Humptulips, and Skagit Hatcheries.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		154,100
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
297,000		451,100

(39) Install Heath incubators, Washougal Hatchery.

	Reappropriation	Appropriation
General Fund—Federal		136,402
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		136,402

(40) Provide domestic water supply and incinerator toilet, Garrison Hatchery.

Reappropriation	Appropriation
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GF, Fish Cap Proj Acct		29,402
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
325,000		354,402

(41) Install Heath incubators and improve water supply, Skykomish Hatchery.

Reappropriation Appropriation

GF, Fish Cap Proj Acct		406,217
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		406,217

(42) Install adult trapping weirs and ((salmon egg incubation boxes)) mini-modular mobile hatchery systems in various streams, western Washington.

Reappropriation Appropriation

GF, Fish Cap Proj Acct		140,920
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
130,000	690,000	960,920

(43) Construct adult pond separators, Soleduck Hatchery.

Reappropriation Appropriation

GF, Fish Cap Proj Acct	40,000	58,135
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
172,063		270,198

(44) Install incubation filters, Grays River Hatchery.

Reappropriation Appropriation

General Fund—Federal		160,062
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		160,062

(45) Install permanent sills, Kalama Falls Hatchery.

Reappropriation Appropriation

General Fund—Federal		364,946
Project Costs	Estimated Costs	Estimated Total

Through 6/30/81	7/1/83 and Thereafter	Costs
(46) Improve adult holding pond and spawning structures, Elokomin Hatchery.		
	Reappropriation	Appropriation
General Fund—Federal		71,497
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
(47) Install electric automated seawater system, Willapa Laboratory.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		8,820
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		8,820
(48) Improve grounds and blacktop laboratory site area, Brinnon Laboratory.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		46,983
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		46,983
(49) Repair gabion sill, Soleduck Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		47,092
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		47,092
(50) Asphalt rearing pond, Klickitat Hatchery.		
	Reappropriation	Appropriation
General Fund—Federal		36,392
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		36,392

(51) Repair standard ponds, Klickitat Hatchery.

	Reappropriation	Appropriation
General Fund—Federal		266,066
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		266,066

(52) Construct public recreational fishing access facilities on the pontoon level of the Hood Canal bridge.

	Reappropriation	Appropriation
GF, ORA—State	190,000	
GF, ORA—Federal	190,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		380,000

(53) Place gravel on public recreational tideland area, Seahurst County Park.

	Reappropriation	Appropriation
GF, ORA—State		14,000
GF, ORA—Federal		14,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		28,000

(54) Place gravel on public recreational tideland area, Fay Bainbridge.

	Reappropriation	Appropriation
GF, ORA—State		7,000
GF, ORA—Federal		7,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		14,000

(55) Place gravel on public recreational tideland area, Quartermaster Harbor.

	Reappropriation	Appropriation
GF, ORA—State		4,250
GF, ORA—Federal		4,250
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		8,500

(56) Place gravel on public recreational tideland area, Fry Cove County Park.

	Reappropriation	Appropriation
GF, ORA—State		17,750
GF, ORA—Federal		17,750
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		35,500

(57) Place gravel on public recreational tideland area, Bywater Bay.

	Reappropriation	Appropriation
GF, ORA—State		14,000
GF, ORA—Federal		14,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		28,000

(58) Renovate and improve to protect park and boat launch from erosion, Pillar Point.

	Reappropriation	Appropriation
GF, ORA—State		81,700
GF, ORA—Federal		81,700
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		163,400

(59) Acquire tidelands and/or saltwater shoreline access.

	Reappropriation	Appropriation
GF, ORA—State		100,000
GF, ORA—Federal		100,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		200,000

(60) Purchase a salmon rearing net pen complex; except a unit of eight pens from this complex shall be located at McNeil Island.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		200,000
Project Costs Through	Estimated Costs 7/1/83 and	Estimated Total Costs

6/30/81

Thereafter

200,000

Sec. 17. Section 7, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:

~~FOR THE DEPARTMENT OF ((SOCIAL AND HEALTH SERVICES~~
~~FOR ADULT)) CORRECTIONS~~

~~((The appropriations contained in this section shall be transferred to the department of corrections if a department of corrections is created during the 1981 regular session of the legislature.))~~

(1) Construct and equip a 100-man honor camp.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		100,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
3,207,259		3,307,259	9/81

(2) Construct and equip a 120-man housing unit at the Washington Corrections Center.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		500,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,927,000		3,427,000	9/81

(3) Convert 300-bed minimum security building to medium security at the Washington State Penitentiary.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		1,275,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
4,153,000		5,428,000	12/81

(4) Construct and equip maximum security facility at the Washington State Reformatory.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		1,000,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
11,054,000		12,054,000	6/82

(5) Renovate and expand visiting, dining, and recreation facility at the Washington State Reformatory.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		1,000,000	
Project Costs	Estimated Costs	Estimated Total Costs	Estimated Completion Date
Through 6/30/81	7/1/83 and Thereafter		
524,000		1,524,000	2/82

(6) Construct a 500-man medium security corrections center on the grounds of the Washington State Reformatory.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		4,000,000	28,433,300
Project Costs	Estimated Costs	Estimated Total Costs	Estimated Completion Date
Through 6/30/81	7/1/83 and Thereafter		
1,429,000		33,862,300	9/83

(7) To improve security, facilities, and utilities, Phase II, Washington State Penitentiary: PROVIDED, That if alternative housing arrangements are approved by the special master, \$2,500,000 of this appropriation, which is intended to be used only for the construction of temporary inmate housing, shall be placed in reserve and left unexpended. If construction has not begun by September 15, 1981, all remaining funds not disbursed or contractually obligated shall remain unexpended and shall be held in reserve unless a revised project schedule is approved by the director of financial management.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		2,900,000	19,450,200
Project Costs	Estimated Costs	Estimated Total Costs	Estimated Completion Date
Through 6/30/81	7/1/83 and Thereafter		
3,024,000	5,245,300	30,619,500	6/84

(8) Improve security, facilities, and ventilation at the Washington State Reformatory, Phase I. If construction has not begun by August 15, 1982, all remaining funds not disbursed or contractually obligated shall remain unexpended and shall be held in reserve unless a revised project schedule is approved by the director of financial management.

		Reappropriation	Appropriation
GF, DSHS Constr Acct			723,400
Project Costs	Estimated Costs	Estimated Total Costs	Estimated Completion Date
Through 6/30/81	7/1/83 and Thereafter		
	8,911,400	9,634,800	12/85

(9) Purchase equipment for institutional industries at the Washington State Penitentiary (~~((81-83))~~), Washington State Reformatory (~~((83-85))~~), and Purdy Treatment Center for Women (~~((83-85))~~).

		Reappropriation	Appropriation
GF, DSHS Constr Acct			500,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
	((334,300))	((834,300)) <u>500,000</u>	6/83

(10) Make repairs and alterations to McNeil Island Penitentiary to maintain serviceability of the institution for short-term use by the state. If House Bill No. 459 is enacted during the 1981 regular session of the legislature, the funds unexpended as of June 30, 1981, shall be reappropriated for the 1981-83 biennium. If House Bill No. 459 is enacted during the 1981 regular session of the legislature, the GF, CEP & RI Acct appropriation shall be reduced by the amount of the appropriation in House Bill No. 459, but in no case shall the reappropriation plus the appropriation exceed \$2,674,900. If construction has not begun by September 15, 1981, all remaining funds not disbursed or contractually obligated shall remain unexpended and shall be held in reserve unless a revised project schedule is approved by the director of financial management.

		Reappropriation	Appropriation
GF, DSHS Constr Acct			674,900
GF, CEP & RI Acct			2,000,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
		2,674,900	6/83

(11) Repair and expand education building damaged by December 31, 1980, fire at Washington Corrections Center. If construction has not begun by August 15, 1981, all remaining funds not disbursed or contractually obligated shall remain unexpended and shall be held in reserve unless a revised project schedule is approved by the director of financial management.

		Reappropriation	Appropriation
GF, DSHS Constr Acct			1,386,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
		1,386,000	4/82

(12) Fire and safety improvements at the Washington State Penitentiary.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		220,000	
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/81	7/1/83 and Thereafter	Costs	Date
529,000		749,000	9/81

(13) Fire and safety improvements at the Washington State Reformatory.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		700,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
604,000		1,304,000	9/81

(14) To repair and improve utilities and facilities—Omnibus: PROVIDED, That if a department of corrections is not created during the 1981 regular session of the legislature, this appropriation shall be transferred to the budget and fiscal services division of the department of social and health services.

		Reappropriation	Appropriation
GF, DSHS Constr Acct			1,600,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
		1,600,000	12/83

(15) Complete a ten-year facility plan by December 15, 1981, identifying year-by-year projected population for all institutional and noninstitutional correctional programs including jails; space standards for residential and support service facilities; the capacity of existing facility resources; and the projected demand for additional space based upon these projections, standards, and resources. It is the intent of this appropriation to provide the data to support the need for any additional correctional beds and, if needed, based on this data, to determine feasible locations for new adult corrections facilities and to initiate planning and design for any new facility(s): PROVIDED, That no funds shall be expended for design without this plan being presented to the house and senate ways and means committees.

		Reappropriation	Appropriation
GF, DSHS Constr Acct			1,285,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
		1,285,000	8/85

Sec. 18. Section 8, chapter 17, Laws of 1967 as last amended by section 111, chapter 136, Laws of 1981 and RCW 72.65.080 are each amended to read as follows:

The secretary may enter into contracts with the appropriate authorities for the payment of the cost of feeding and lodging and other expenses of housing work release participants. Such contracts may include any other terms and conditions as may be appropriate for the implementation of the work release program. In addition the secretary is authorized to acquire, by lease or contract, appropriate facilities for

the housing of work release participants and providing for their subsistence and supervision. Such work release participants placed in leased or contracted facilities shall be required to reimburse the department the per capita cost of subsistence and lodging in accordance with the provisions and in the priority established by RCW 72.65.050(2). The location of such facilities shall ~~((not))~~ be subject to the zoning laws of the city or county in which they may be situated.

Sec. 19. Section 1, chapter 235, Laws of 1981 and RCW 43.83.172 are each amended to read as follows:

For the purpose of acquiring land and providing needed capital improvements consisting of the planning, acquisition, construction, remodeling, and furnishing, together with all improvements, enhancements, fixed equipment facilities of office buildings, parking facilities, and such other buildings, facilities, and utilities as are determined to be necessary to provide space including offices, committee rooms, hearing rooms, work rooms, and industrial-related space for the legislature, for other elective officials, and such other state agencies as may be necessary, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of ~~((eleven million two hundred))~~ twelve million one hundred thirty thousand dollars, or so much thereof as may be required, to finance these projects, and all costs incidental thereto. No bonds authorized by RCW 43.83.172 through 43.83.182 may be offered for sale without prior legislative appropriation.

NEW SECTION. Sec. 20. There is added to chapter 143, Laws of 1981 a new section to read as follows:

If federal funds appropriated by this act from the outdoor recreation account in the general fund are not received, the agency or department may expend state general fund—outdoor recreation account moneys appropriated for other capital projects of the agency or department. This reallocation of appropriated moneys may be accomplished by the elimination, reduction, or combination of capital projects authorized by this act.

Expenditures under this section shall not be made without the prior approval of the director of financial management in consultation with the committees on ways and means of the senate and house of representatives.

NEW SECTION. Sec. 21. Section 114, chapter ... (ESSB 4369), Laws of 1982 1st ex. sess. is hereby repealed.

NEW SECTION. Sec. 22. 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.

NEW SECTION. Sec. 23. 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."

On page 1, line 20 of the title, after "72.65.080;" insert "amending section 1, chapter 235, Laws of 1981 and RCW 43.83.172;"

On page 1, line 22 of the title, after "section;" insert "repealing section 114, chapter ... (ESSB 4369), Laws of 1982 1st ex. sess.;"

On motion of Senator Scott, the rules were suspended, Engrossed Substitute House Bill No. 1230, 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 Deccio: "Senator Scott, just to clarify the issue of substitute House bill 808, there is no direct reference to the two new prisons that are authorized under that bill and in our conversations, I just wanted to verify that substitute House bill 808 does carry its own appropriation and does not have to be included in this bill in order to be implemented?"

Senator Scott: "You are absolutely correct, Senator Deccio. The chapter 234 under which those projects are referenced, are carried in the preliminary jingles of this bill."

POINT OF INQUIRY

Senator Goltz: "Senator Scott, some place in this bill there is an appropriation for referendum 37 project and I believe it is done by reference to 19 project, and my question is, are those the projects which are contained in a list which was an addendum to a letter from Secretary Gibbs to you dated February 8, 1982? And these are the 19 projects which are recommended by DSHS in that list, is that correct?"

Senator Scott: "Senator Goltz, that also is correct."

Senator Goltz: "Thank you."

Further debate ensued.

POINT OF INQUIRY

Senator Vognild: "Senator Scott, I have a list in front of me that was put out to show what is in here. Starts out with \$6,000,000 for fire service and on down.

"Within the statutory limits of bonded indebtedness, how far down this list can we go?"

Senator Scott: "Again, Senator Vognild, it relates to the level interest rates remain at as the process of bonding continues. The last rate was just over 14% for the state; that would carry us down into category, forget whether they are numbered 1, 2, 3 or a through e, but any rate, category c or 3, whichever it is, probably into 4. Should interest rates decline due to the decline in inflation, as some suppose, we would be down into the last category.

"If, at the same time, revenues turn up more than are now, is now predicted, that would also have a favorable effect.

"So the span, I suppose, is a category-and-a-half, beginning with the low end of the third category and reaching down into the fifth one."

Senator Vognild: "One further question, Senator Scott, if I may. Is there an impact on the general fund of the state in this bill? Is there any impact on it?"

Senator Scott: "There is no impact on the general fund of the state in the remaining fourteen months of this biennium that is appreciable. There will be a continuing impact, of course. Normally the twenty-five year life of the bonds after they are let, and that impact will be first seen in the next biennium."

Senator Vognild: "Thank you, Senator Scott."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1230, as amended by the Senate, and the bill failed to pass the Senate by the following vote: Yeas, 21; nays, 27; excused, 1.

Voting yea: Senators Benitz, Bluechel, Charnley, Clarke, Deccio, Fleming, Fuller, Gould, Guess, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Moore, Newhouse, Patterson, Quigg, Ridder, Sellar, Zimmerman—21.

Voting nay: Senators Bauer, Bottiger, Conner, Craswell, Gallagher, Gaspard, Goltz, Haley, Hughes, Hurley, Lee, Lysen, McCaslin, McDermott, Metcalf, Peterson, Pullen, Rasmussen, Scott, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody—27.

Excused: Senator Talley—1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1230, as amended by the Senate having failed to receive the constitutional sixty percent majority, was declared lost.

STATEMENT FOR THE JOURNAL

April 7, 1982.

Pursuant to Rule 34, I would like to protest the Senate's consideration of Engrossed Substitute House Bill 1230, which would greatly expand the bonded indebtedness of our state. The hypothetical news article below is an example of what I fear may happen in the future.

SEATTLE POST-TIMES

April 7, 2002

OLYMPIA, WA - The Taxpayer revolt spread to the state capitol today with 12,000 members of the irate taxpayers association descending on the state legislature to protest oppressively high taxes.

Joanne Craswell, granddaughter of former Kitsap County State Senator Ellen Craswell, and leader of the irate taxpayers, blamed spendthrift legislators who radically raised bonded indebtedness during the early 1980's.

"Legislators have got to realize that we cannot spend ourselves into prosperity," Ms. Craswell said. "The legislators of the 1980's simply did not realize—or did not care—that they were putting a terrible burden on their children and grandchildren."

Signed: SENATOR KENT PULLEN.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Scott served notice that he would, during this working day, move for reconsideration of the vote by which Engrossed Substitute House Bill No. 1230, as amended by the Senate, failed to pass the Senate.

MOTIONS

On motion of Senator Clarke, the Senate advanced to the eighth order of business.

On motion of Senator Clarke, the Committee on Ways and Means was relieved from further consideration of Senate Bill No. 4372 and Senate Bill No. 4250.

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 4372 and Senate Bill No. 4250 was placed on the second reading calendar for today.

On motion of Senator Clarke, the Senate commenced consideration of Senate Bill No. 4372.

SECOND READING

SENATE BILL NO. 4372, Senator Scott:

Relating to revenue and taxation.

The bill was read the second time by sections.

Senator Scott moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 324, Laws of 1977 ex. sess. and RCW 82.04.2901 are each amended to read as follows:

From and after the first day of (~~June, 1976~~) April, 1982, until and including the thirtieth day of June, (~~1979~~) 1983, there is levied and shall be collected from every person for the act or privilege of engaging in business activities, as a part of the tax imposed by the provisions of RCW 82.04.220 through 82.04.290, inclusive, an additional tax in the amount of (~~six~~) two percent of the tax payable under the

provisions of RCW 82.04.220 through 82.04.290, inclusive. To facilitate collection of this additional tax, the department of revenue is authorized to adjust the basic rates of persons to which this section applies in such manner as to reflect the amount to the nearest one-thousandth of one percent of the additional tax hereby imposed, adjusting ten-thousandths equal to or greater than five ten-thousandths to the greater thousandth.

Sec. 2. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 8, Laws of 1981 2nd ex. sess. and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to four and one-half percent of the selling price: PROVIDED, That from and after the first day of December, 1981, until and including the thirtieth day of June, 1983, such tax shall be levied and collected in an amount equal to five and five-tenths percent of the selling price: PROVIDED FURTHER, That from and after the the first day of May, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of two percent of the taxes payable under this section. To facilitate collection of this additional tax, the department of revenue may adjust the rate of the additional tax to the next highest one-tenth of one percent if the additional tax is five one-hundredths of one percent or more, or to the next lowest one-tenth of one percent if the additional tax is less than five one-hundredths of one percent.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate, including any additional tax rate, provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 3. Section 82.08.150, chapter 15, Laws of 1961 as last amended by section 25, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected a tax upon each retail sale of spirits, or strong beer in the original package at the rate of fifteen percent of the selling price. The tax imposed in this subsection shall apply to all such sales including sales by the Washington state liquor stores and agencies, but excluding sales to class H licensees.

(2) There is levied and shall be collected a tax upon each sale of spirits, or strong beer in the original package at the rate of ten percent of the selling price on sales by Washington state liquor stores and agencies to class H licensees.

(3) There is levied and shall be collected an additional tax upon each retail sale of spirits in the original package at the rate of one dollar and seventy-two cents per liter. The additional tax imposed in this subsection shall apply to all such sales including sales by Washington state liquor stores and agencies, and including sales to class H licensees.

(4) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there is imposed an additional tax in the amount of two percent of the taxes payable under subsections (1), (2), and (3) of this section.

(5) The tax imposed in RCW 82.08.020, as now or hereafter amended, shall not apply to sales of spirits or strong beer in the original package.

~~((5))~~ (6) The taxes imposed in this section shall be paid by the buyer to the seller, and each seller shall collect from the buyer the full amount of the tax payable in respect to each taxable sale under this section. The taxes required by this section to be collected by the seller shall be stated separately from the selling price and for purposes of determining the tax due from the buyer to the seller, it shall be conclusively presumed that the selling price quoted in any price list does not include the taxes imposed by this section.

~~((6))~~ (7) As used in this section, the terms, "spirits," "strong beer," and "package" shall have the meaning ascribed to them in chapter 66.04 RCW.

Sec. 4. Section 82.08.160, chapter 15, Laws of 1961 as last amended by section 26, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.160 are each amended to read as follows:

On or before the twenty-fifth day of each month, all taxes collected under RCW 82.08.150 during the preceding month shall be remitted to the state department of revenue, to be deposited with the state treasurer. Upon receipt of such moneys the state treasurer shall credit sixty-five percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) and one hundred percent of the sums collected and remitted under RCW 82.08.150 (3) and (4) to the state general fund and thirty-five percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) to a fund which is hereby created to be known as the "liquor excise tax fund."

Sec. 5. Section 82.16.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 299, Laws of 1971 ex. sess. and RCW 82.16.020 are each amended to read as follows:

(1) There is levied and there shall be collected from every person a tax for the act or privilege of engaging within this state in any one or more of the businesses herein mentioned. The tax shall be equal to the gross income of the business, multiplied by the rate set out after the business, as follows:

~~((1))~~ (a) Railroad, express, railroad car, water distribution, light and power, telephone and telegraph businesses: Three and six-tenths percent;

~~((2))~~ (b) Gas distribution business: Three percent;

~~((3))~~ (c) Urban transportation business: Six-tenths of one percent;

~~((4))~~ (d) Vessels under sixty-five feet in length, except tugboats, operating upon the waters within the state: Six-tenths of one percent;

~~((5))~~ (e) Motor transportation and tugboat businesses, and all public service businesses other than ones mentioned above: One and eight-tenths of one percent.

(2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of two percent of the tax payable under subsection (1) of this section.

Sec. 6. Section 82.16.030, chapter 15, Laws of 1961 and RCW 82.16.030 are each amended to read as follows:

Every person engaging in businesses which are within the purview of two or more of schedules ~~((1), (2), (3), (4) and (5))~~ (a), (b), (c), (d), and (e) of RCW 82.16.020(1), shall be taxable under each schedule applicable to the businesses engaged in.

Sec. 7. Section 82.20.010, chapter 15, Laws of 1961 and RCW 82.20.010 are each amended to read as follows:

There is levied and there shall be collected a tax upon conveyances as follows: On any deed, instrument, or writing (unless deposited in escrow before May 1, 1935), whereby any lands, tenements, or other realty sold shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser, or any other person by his direction, when the consideration or value of the interest or property conveyed, exclusive of the value of any lien or encumbrance remaining thereon at the time of sale, exceeds one hundred dollars and does not exceed five hundred dollars or fractional part thereof, fifty cents; and for each additional five hundred dollars or fractional part thereof, fifty cents: **PROVIDED, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of two percent of the tax payable under this section.** This section shall not apply to any instrument or writing, given to secure a debt, nor to any conveyance to the state.

Sec. 8. Section 82.24.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 172, Laws of 1981 and RCW 82.24.020 are each amended to read as follows:

There is levied and there shall be collected as hereinafter provided, a tax upon the sale, use, consumption, handling, possession or distribution of all cigarettes, in an amount equal to the rate of eight and one-half mills per cigarette: PROVIDED, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of two percent of the tax payable under this section: PROVIDED FURTHER, That to facilitate collection of this additional tax, the department of revenue may adjust the rate of the additional tax to the next highest mill. For purposes of this chapter and RCW 28A.47.440, "possession" shall mean both (1) physical possession by the purchaser and, (2) when cigarettes are being transported to or held for the purchaser or his designee by a person other than the purchaser, constructive possession by the purchaser or his designee, which constructive possession shall be deemed to occur at the location of the cigarettes being so transported or held.

Sec. 9. Section 82.26.020, chapter 15, Laws of 1961 as last amended by section 71, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.26.020 are each amended to read as follows:

(1) From and after June 1, 1971, there is levied and there shall be collected a tax upon the sale, use, consumption, handling, or distribution of all tobacco products in this state at the rate of forty-five percent of the wholesale sales price of such tobacco products: PROVIDED, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of two percent of the tax payable under this subsection. Such tax shall be imposed at the time the distributor (a) brings, or causes to be brought, into this state from without the state tobacco products for sale, (b) makes, manufactures, or fabricates tobacco products in this state for sale in this state, or (c) ships or transports tobacco products to retailers in this state, to be sold by those retailers.

(2) A floor stocks tax is hereby imposed upon every distributor of tobacco products at the rate of twenty-five percent of the wholesale sales price of each tobacco product in his possession or under his control on July 1, 1959.

Each distributor, within twenty days after July 1, 1959 shall file a report with the department, in such form as the department may prescribe, showing the tobacco products on hand on July 1, 1959 and the amount of tax due thereon.

The tax imposed by this subdivision shall be due and payable within twenty days after July 1, 1959 and thereafter shall bear interest at the rate of one percent per month.

Sec. 10. Section 2, chapter 98, Laws of 1980 and RCW 82.27.020 are each amended to read as follows:

(1) In addition to all other taxes, licenses, or fees provided by law there is established an excise tax on the possession of food fish and shellfish for commercial purposes as provided in this chapter. The tax is levied upon and shall be collected from the owner of the food fish or shellfish whose possession constitutes the taxable event. The taxable event is the first possession by an owner after the food fish or shellfish have been landed. Processing and handling of food fish and shellfish by a person who is not the owner is not a taxable event to the processor or handler.

(2) A person in possession of food fish and shellfish and liable to this tax may deduct from the price paid to the person from which such food fish or shellfish (except oysters) are purchased an amount equal to a tax at one-half the rate levied in this section upon these products.

(3) The measure of the tax is the price paid by the first person in possession of the food fish or shellfish. If the food fish or shellfish are acquired other than by purchase or are purchased under conditions where the purchase price does not represent the value of the food fish or shellfish or these products are transferred outside the state without sale, the measure of the tax shall be determined as nearly as possible according to the selling price of similar products of like quality and character under rules adopted by the department of revenue.

(4) The tax shall be equal to the measure of the tax multiplied by the rates for food fish and shellfish as follows:

- (a) Chinook, coho, and chum salmon: Five percent.
- (b) Pink and sockeye salmon: Three percent.
- (c) Other food fish and shellfish, except oysters: Two percent.
- (d) Oysters: Seven one-hundredths of one percent.

(5) From and after the first day of July, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of two percent of the tax payable under subsection (4) of this section.

Sec. 11. Section 3, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 82.29A.030 are each amended to read as follows:

There is hereby levied and shall be collected a leasehold excise tax on the act or privilege of occupying or using publicly owned real or personal property through a leasehold interest on and after January 1, 1976, at a rate of twelve percent of taxable rent: PROVIDED, That from and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of two percent of the tax payable under this section: PROVIDED FURTHER, That after the computation of the tax there shall be allowed credit for any tax collected pursuant to RCW 82.29A.040.

Sec. 12. Section 82.44.020, chapter 15, Laws of 1961 as last amended by section 10, chapter 222, Laws of 1981 and RCW 82.44.020 are each amended to read as follows:

(1) An excise tax is imposed for the privilege of using in the state any motor vehicle, except those operated under reciprocal agreements, the provisions of RCW 46.16.160 as now or hereafter amended, or dealer's licenses. The annual amount of such excise tax shall be two percent of the fair market value of such vehicle.

(2) From and after August 1, 1978, and until August 1, 2008, an additional excise tax is imposed, in addition to any other tax imposed by this section, for the privilege of using in the state any such motor vehicle, and the annual amount of such additional excise shall be two-tenths of one percent of the fair market value of such vehicle.

(3) The department of licensing and county auditors shall collect the additional tax imposed by subsection (2) of this section for any registration year for the months of that registration year in which such additional tax is effective, and in the same manner and at the same time as the tax imposed by subsection (1) of this section.

(4) In no case shall the total tax be less than two dollars except for proportionally registered vehicles.

(5) From and after the first day of July, 1982, until and including the thirtieth day of June, 1983, a surtax is imposed, in addition to the taxes imposed by subsections (1) and (2) of this section, for the privilege of using in the state any such motor vehicle. The annual amount of such surtax shall be two percent of the taxes payable under subsections (1) and (2) of this section.

Sec. 13. Section 82.44.110, chapter 15, Laws of 1961 as last amended by section 235, chapter 158, Laws of 1979 and RCW 82.44.110 are each amended to read as follows:

The county auditor shall regularly, when remitting license fee receipts, pay over and account to the director of licensing for the excise taxes collected under the provisions of this chapter. The director shall forthwith transmit the excise taxes to the state treasurer, ninety-eight percent of which excise tax revenue shall upon receipt thereof be credited by the state treasurer to the general fund, and two percent of which excise tax revenue shall be credited by the state treasurer to the motor vehicle fund to defray administrative and other expenses incurred by the state department of licensing in the collection of the excise tax: PROVIDED, That one hundred percent of the proceeds of the additional two-tenths of one percent excise tax imposed by RCW 82.44.020(2), as now or hereafter amended, shall be credited by the state treasurer to the Puget Sound capital construction account in the motor vehicle fund; PROVIDED FURTHER, That all revenues collected under RCW 82.44.020(5) shall be credited by the state treasurer to the general fund.

Sec. 14. Section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 4, chapter 175, Laws of 1979 ex. sess. and RCW 82.44.150 are each amended to read as follows:

(1) The director of licensing shall on the twenty-fifth day of February, May, August and November of each year, commencing with November, 1971, advise the state treasurer of the total amount of motor vehicle excise taxes remitted to the department of licensing during the preceding calendar quarter ending on the last day of March, June, September and December, respectively, except for those payable under RCW 82.44.020(5), 82.44.030 and 82.44.070, from motor vehicle owners residing within each municipality which has levied a tax under RCW 35.58.273, which amount of excise taxes shall be determined by the director as follows:

The total amount of motor vehicle excise taxes remitted to the department, except those payable under RCW 82.44.020(5), 82.44.030 and 82.44.070, from each county shall be multiplied by a fraction, the numerator of which is the population of the municipality residing in such county, and the denominator of which is the total population of the county in which such municipality or portion thereof is located. The product of this computation shall be the amount of excise taxes from motor vehicle owners residing within such municipality or portion thereof. Where the municipality levying a tax under RCW 35.58.273 is located in more than one county, the above computation shall be made by county, and the combined products shall provide the total amount of motor vehicle excise taxes from motor vehicle owners residing in the municipality as a whole. Population figures required for these computations shall be supplied to the director by the office of financial management, who shall adjust the fraction annually.

(2) On the first day of the months of January, April, July, and October of each year, the state treasurer based upon information provided by the department of licensing shall make the following apportionment and distribution of motor vehicle excise taxes deposited in the general fund except taxes collected under RCW 82.44.020(5). A sum equal to seventeen percent thereof shall be paid to cities and towns in the proportions and for the purposes hereinafter set forth; a sum equal to seventy percent of all motor vehicle excise tax receipts, except taxes collected under RCW 82.44.020(5), shall be allocable to the state school equalization fund and credited and transferred each year in the following order of priority:

(a) The amount required and certified by the state finance committee each year as being necessary for payment of principal of and interest on bonds authorized by ((chapter 26, Laws of 1963 extraordinary session)) RCW 28A.47.760 through 28A.47.774 in the ensuing twelve months and any additional amounts required by the covenants of such bonds shall be transferred from the state school equalization fund to the 1963 public school building bond retirement fund.

(b) Any remaining amounts in the state school equalization fund from the motor vehicle excise taxes not required for debt service on the above bond issues shall be transferred and credited to the general fund.

(3) The amount payable to cities and towns shall be apportioned among the several cities and towns within the state ratably, on the basis of the population as last determined by the office of financial management.

(4) When so apportioned, the amount payable to each such city and town shall be transmitted to the city treasurer thereof, and shall be utilized by such city or town for the purposes of police and fire protection and the preservation of the public health therein, and not otherwise. In case it be adjudged that revenue derived from the excise tax imposed by this chapter cannot lawfully be apportioned or distributed to cities or towns, all moneys directed by this section to be apportioned and distributed to cities and towns shall be credited and transferred to the state general fund.

(5) On the first day of the months of January, April, July, and October of each year, the state treasurer, based upon information provided by the department of licensing, shall remit motor vehicle excise tax revenues imposed and collected under RCW 35.58.273 as follows:

(a) The amount required to be remitted by the state treasurer to the treasurer of any municipality levying the tax shall not exceed in any calendar year the amount of locally-generated tax revenues, excluding the excise tax imposed under RCW 35.58.273 for the purposes of this section, which shall have been budgeted by the municipality to be collected in such calendar year for any public transportation purposes including but not limited to operating costs, capital costs, and debt service on general obligation or revenue bonds issued for these purposes; and

(b) In no event may the amount remitted in a single calendar quarter exceed the amount collected on behalf of the municipality under RCW 35.58.273 during the calendar quarter next preceding the immediately preceding quarter.

(6) At the close of each calendar year accounting period, but not later than April 1, each municipality that has received motor vehicle excise taxes under subsection (5) of this section shall transmit to the director of licensing and the state auditor a written report showing by source the previous year's budgeted tax revenues for public transportation purposes as compared to actual collections. Any municipality that has not submitted the report by April 1 shall cease to be eligible to receive motor vehicle excise taxes under subsection (5) of this section until the report is received by the director of licensing. If a municipality has received more or less money under subsection (5) of this section for the period covered by the report than it is entitled to receive by reason of its locally-generated collected tax revenues, the director of licensing shall, during the next ensuing quarter that the municipality is eligible to receive motor vehicle excise tax funds, increase or decrease the amount to be remitted in an amount equal to the difference between the locally-generated budgeted tax revenues and the locally-generated collected tax revenues. In no event may the amount remitted for a calendar year exceed the amount collected on behalf of the municipality under RCW 35.58.273 during that same calendar year. At the time of the next fiscal audit of each municipality, the state auditor shall verify the accuracy of the report submitted and notify the director of licensing of any discrepancies.

(7) The motor vehicle excise taxes imposed under RCW 35.58.273 and required to be remitted under this section shall be remitted without legislative appropriation.

(8) Any municipality levying and collecting a tax under RCW 35.58.273 which does not have an operating, public transit system or a contract for public transportation services in effect within one year from the initial effective date of the tax shall return to the state treasurer all motor vehicle excise taxes received under subsection (5) of this section.

Sec. 15. Section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 154, Laws of 1980 and RCW 82.45.060 are each amended to read as follows:

There is imposed an excise tax upon each sale of real property at the rate of one percent of the selling price: PROVIDED, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax shall be imposed in the amount of two percent of the tax payable under this section.

Sec. 16. Section .14.02, chapter 79, Laws of 1947 as last amended by section 2, chapter 233, Laws of 1979 ex. sess. and RCW 48.14.020 are each amended to read as follows:

(1) Subject to other provisions of this chapter, each authorized insurer except title insurers shall on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax on premiums. Except as provided in subsection (2) of this section, such tax shall be in the amount of two percent of all premiums, excluding amounts returned to or the amount of reductions in premiums allowed to holders of industrial life policies for payment of premiums directly to an office of the insurer, collected or received by the insurer during the preceding calendar year in the case of foreign and alien insurers, and in the amount of one percent of all such premiums in the case of domestic insurers, for direct insurances, other than ocean marine and foreign trade insurances, after deducting premiums paid to policyholders as returned premiums, upon risks or property resident, situated, or to be performed in this state. For the purposes of this section the consideration received by an insurer for the granting of an annuity shall not be deemed to be a premium.

(2) In the case of insurers which require the payment by their policyholders at the inception of their policies of the entire premium thereon in the form of premiums or premium deposits which are the same in amount, based on the character of the risks, regardless of the length of term for which such policies are written, such tax shall be in the amount of two percent of the gross amount of such premiums and premium deposits upon policies on risks resident, located, or to be performed in this state, in force as of the thirty-first day of December next preceding, less the unused or unabsorbed portion of such premiums and premium deposits computed at the average rate thereof actually paid or credited to policyholders or applied in part payment of any renewal premiums or premium deposits on one-year policies expiring during such year.

(3) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed in the amount of two percent of each tax payable under subsections (1) and (2) of this section. All revenues from this additional tax shall be deposited in the state general fund.

(4) Each authorized insurer shall with respect to all ocean marine and foreign trade insurance contracts written within this state during the preceding calendar year, on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax of three-quarters of one percent on its gross underwriting profit. Such gross underwriting profit shall be ascertained by deducting from the net premiums (i.e., gross premiums less all return premiums and premiums for reinsurance) on such ocean marine and foreign trade insurance contracts the net losses paid (i.e., gross losses paid less salvage and recoveries on reinsurance ceded) during such calendar year under such contracts. In the case of insurers issuing participating contracts, such gross underwriting profit shall not include, for computation of the tax prescribed by this subsection, the amounts refunded, or paid as participation dividends, by such insurers to the holders of such contracts.

~~((4))~~ (5) The state does hereby preempt the field of imposing excise or privilege taxes upon insurers or their agents, other than title insurers, and no county, city, town or other municipal subdivision shall have the right to impose any such taxes upon such insurers or their agents.

~~((5))~~ (6) If an authorized insurer collects or receives any such premiums on account of policies in force in this state which were originally issued by another insurer and which other insurer is not authorized to transact insurance in this state on its own account, such collecting insurer shall be liable for and shall pay the tax on such premiums.

~~((6))~~ (7) This section shall be effective as to and shall govern the payment of all taxes falling due after the effective date of this code.

Sec. 17. Section 5, chapter 91, Laws of 1947 as last amended by section 1, chapter 42, Laws of 1967 and RCW 41.16.050 are each amended to read as follows:

There is hereby created and established in the treasury of each municipality a fund which shall be known and designated as the firemen's pension fund, which shall consist of: (1) All bequests, fees, gifts, emoluments or donations given or paid thereto~~(;)~~; (2) forty-five percent of all moneys received by the state from taxes on fire insurance premiums, except any such moneys received under RCW 48.14.020(3); (3) taxes paid pursuant to the provisions of RCW 41.16.060~~(;)~~; (4) interest on the investments of the fund~~(;)~~; and (5) contributions by firemen as provided for herein. The forty-five percent of moneys received from the tax on fire insurance premiums under the provisions of this chapter shall be distributed in the proportion that the number of paid firemen in the city, town or fire protection district bears to the total number of paid firemen throughout the state to be ascertained in the following manner: The secretary of the firemen's pension board of each city, town and fire protection district now or hereafter coming under the provisions of this chapter shall within thirty days after the taking effect of this 1961 amendatory act and on or before the fifteenth day of January thereafter, certify to the state treasurer the number of paid firemen in the fire department in such city, town or fire protection district. The state treasurer shall on or before the first day of June of each year deliver to the treasurer of each city, town and fire protection district coming under the provisions of this chapter his warrant, payable to each city, town or fire protection district for the amount due such city, town or fire protection district ascertained as herein provided and the treasurer of each such city, town or fire protection district shall place the amount thereof to the credit of the firemen's pension fund of such city, town or fire protection district.

Sec. 18. Section 3, chapter 261, Laws of 1945 as last amended by section 26, chapter 3, Laws of 1981 and RCW 41.24.030 are each amended to read as follows:

There is created in the state treasury a trust fund for the benefit of the firemen of the state covered by this chapter, which shall be designated the volunteer firemen's relief and pension fund and shall consist of:

(1) All bequests, fees, gifts, emoluments, or donations given or paid to the fund.
 (2) An annual fee for each member of its fire department to be paid by each municipal corporation for the purpose of affording the members of its fire department with protection from death or disability as herein provided as follows:

(a) Three dollars for each volunteer or part-paid member of its fire department;

(b) A sum equal to one-half of one percent of the annual salary attached to the rank of each full-paid member of its fire department, prorated for 1970 on the basis of services prior to March 1, 1970.

(3) Where a municipal corporation has elected to make available to the members of its fire department the retirement provisions as herein provided, an annual fee of thirty dollars for each of its firemen electing to enroll therein, ten dollars of which shall be paid by the municipality and twenty dollars of which shall be paid by the fireman.

(4) Forty percent of all moneys received by the state from ~~((its))~~ taxes on fire insurance premiums, except any such moneys received under RCW 48.14.020(3), shall be paid into the state treasury and credited to the fund.

(5) The state investment board, upon request of the state treasurer shall invest such portion of the amounts credited to the fund as is not, in the judgment of the treasurer, required to meet current withdrawals. Such investments may be made in such bonds, notes or other obligations now or hereafter authorized as an investment for the funds of the public employees' retirement system.

(6) All bonds or other obligations purchased according to ~~((subdivision))~~ subsection (5) of this section shall be forthwith placed in the custody of the state treasurer, and he shall collect the principal thereof and interest thereon when due.

The state investment board may sell any of the bonds or obligations so acquired and the proceeds thereof shall be paid to the state treasurer.

The interest and proceeds from the sale and redemption of any bonds or other obligations held by the fund shall be credited to and form a part of the fund.

All amounts credited to the fund shall be available for making the payments required by this chapter.

The state treasurer shall make an annual report showing the condition of the fund.

Sec. 19. Section 2, chapter 278, Laws of 1957 as last amended by section 2, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.020 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district a tax for the act or privilege of engaging within this state in the business of operating works, plants or facilities for the generation, distribution and sale of electric energy. With respect to each such district, except with respect to thermal electric generating facilities taxed under RCW 54.28.025, such tax shall be the sum of the following amounts: ~~((1))~~ (a) Two percent of the gross revenues derived by the district from the sale of all electric energy which it distributes to consumers who are served by a distribution system owned by the district; ~~((2))~~ (b) five percent of the first four mills per kilowatt-hour of wholesale value of self-generated energy distributed to consumers by a district; ~~((3))~~ (c) five percent of the first four mills per kilowatt-hour of revenue obtained by the district from the sale of self-generated energy for resale.

(2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there is levied and shall be collected an additional tax in the amount of two percent of the tax payable under subsection (1) of this section.

Sec. 20. Section 6, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.025 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district operating a thermal electric generating facility, as defined in RCW 54.28.010 as now or hereafter amended, having a design capacity of two hundred fifty thousand kilowatts or more, located on a federal reservation, which is placed in operation after September 21, 1977, a tax for the act or privilege of engaging within the state in the business of generating electricity for use or sale, equal to one and one-half percent of wholesale value of energy produced for use or sale, except energy used in the operation of component parts of the power plant and associated transmission facilities under control of the person operating the power plant.

(2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there is levied and shall be collected an additional tax in the amount of two percent of the tax payable under subsection (1) of this section.

Sec. 21. Section 4, chapter 278, Laws of 1957 as amended by section 31, chapter 278, Laws of 1975 1st ex. sess. and RCW 54.28.040 are each amended to read as follows:

Prior to May 1st, the department of revenue shall compute the tax imposed by this chapter for the last preceding calendar year and notify the district of the amount thereof, which shall be payable on or before the following June 1st. Upon

receipt of the amount of each tax imposed the department of revenue shall deposit the same with the state treasurer, who shall deposit four percent (~~(thereof)~~ of the revenues received under RCW 54.28.020(1) and 54.28.025(1) and all revenues received under RCW 54.28.020(2) and 54.28.025(2)) in the general fund of the state and shall distribute the remainder in the manner hereinafter set forth. The state treasurer shall send a duplicate copy of each (~~such letter of~~) transmittal to the department of revenue.

Sec. 22. Section 5, chapter 278, Laws of 1957 as last amended by section 8, chapter 154, Laws of 1980 and RCW 54.28.050 are each amended to read as follows:

After computing the tax imposed by RCW 54.28.020(1), the department of revenue shall instruct the state treasurer, after placing thirty-seven and six-tenths percent in the state general fund to be dedicated for the benefit of the public schools, to distribute the balance collected under RCW 54.28.020 (~~(subsection)~~) (1)(a) to each county in proportion to the gross revenue from sales made within each county; and to distribute the balance collected under RCW 54.28.020 (~~((2) and (3))~~) (1)(b) and (c) as follows: If the entire generating facility, including reservoir, if any, is in a single county then all of the balance to the county where such generating facility is located. If any reservoir is in more than one county, then to each county in which the reservoir or any portion thereof is located a percentage equal to the percentage determined by dividing the total cost of the generating facilities, including adjacent switching facilities, into twice the cost of land and land rights acquired for any reservoir within each county, land and land rights to be defined the same as used by the federal power commission. If the powerhouse and dam, if any, in connection with such reservoir are in more than one county, the balance shall be divided sixty percent to the county in which the owning district is located and forty percent to the other county or counties or if said powerhouse and dam, if any, are owned by a joint operating agency organized under chapter 43.52 RCW, or by more than one district or are outside the county of the owning district, then to be divided equally between the counties in which such facilities are located. If all of the powerhouse and dam, if any, are in one county, then the balance shall be distributed to the county in which the facilities are located.

The provisions of this section shall not apply to the distribution of taxes collected under RCW 54.28.025.

Sec. 23. Section 7, chapter 366, Laws of 1977 ex. sess. as amended by section 165, chapter 151, Laws of 1979 and RCW 54.28.055 are each amended to read as follows:

(1) After computing the tax imposed by RCW 54.28.025(1), the department of revenue shall instruct the state treasurer to distribute the amount collected as follows:

(a) Fifty percent to the state general fund for the support of schools; and
 (b) Twenty-two percent to the counties, twenty-three percent to the cities, three percent to the fire protection districts, and two percent to the library districts.

(2) Each county, city, fire protection district and library district shall receive a percentage of the amount for distribution to counties, cities, fire protection districts and library districts, respectively, in the proportion that the population of such district residing within the impacted area bears to the total population of all such districts residing within the impacted area.

(3) If any distribution pursuant to subsection (1)(b) of this section cannot be made, then that share shall be prorated among the state and remaining local districts.

(4) All distributions directed by this section to be made on the basis of population shall be calculated in accordance with data to be provided by the office of financial management.

Sec. 24. Section 24—A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 12, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.210 are each amended to read as follows:

(1) There is hereby imposed upon all wines sold to wine wholesalers and the Washington state liquor control board, within the state a tax at the rate of twenty and one-fourth cents per liter: PROVIDED, HOWEVER, That wine sold or shipped in bulk from one winery to another winery shall not be subject to such tax. The tax (~~herein~~) provided for in this section may, if so prescribed by the board, be collected by means of stamps to be furnished by the board, or by direct payments based on wine purchased by wine wholesalers. Every person purchasing wine under the provisions of this section shall on or before the twentieth day of each month report to the board all purchases during the preceding calendar month in such manner and upon such forms as may be prescribed by the board, and with such report shall pay the tax due from the purchases covered by such report unless the same has previously been paid. Any such purchaser of wine whose applicable tax payment is not postmarked by the twentieth day following the month of purchase will be assessed a penalty at the rate of two percent a month or fraction thereof. If this tax be collected by means of stamps, every such person shall procure from the board revenue stamps representing the tax in such form as the board shall prescribe and shall affix the same to the package or container in such manner and in such denomination as required by the board and shall cancel the same prior to the delivery of the package or container containing the wine to the purchaser. If the tax is not collected by means of stamps, the board may require that every such person shall execute to and file with the board a bond to be approved by the board, in such amount as the board may fix, securing the payment of the tax. If any such person fails to pay the tax when due, the board may forthwith suspend or cancel the license until all taxes are paid.

(2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there is imposed an additional tax in the amount of two percent of the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

Sec. 25. Section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 16, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.290 are each amended to read as follows:

(1) Any brewer or beer wholesaler licensed under this title may sell and deliver beer to holders of authorized licenses direct, but to no other person, other than the board; and every such brewer or beer wholesaler shall report all sales to the board monthly, pursuant to the regulations, and shall pay to the board as an added tax for the privilege of manufacturing and selling the beer within the state a tax of two dollars and sixty cents per barrel of thirty-one gallons on sales to licensees within the state and on sales to licensees within the state of bottled and canned beer shall pay a tax computed in gallons at the rate of two dollars and sixty cents per barrel of thirty-one gallons. Any brewer or beer wholesaler whose applicable tax payment is not postmarked by the twentieth day following the month of sale will be assessed a penalty at the rate of two percent per month or fraction thereof. Each such brewer or wholesaler shall procure from the board revenue stamps representing such tax in form prescribed by the board and shall affix the same to the barrel or package in such manner and in such denominations as required by the board, and shall cancel the same prior to commencing delivery from his place of business or warehouse of such barrels or packages. Beer shall be sold by brewers and wholesalers in sealed barrels or packages. The revenue stamps herein provided for need not be affixed and canceled in the making of resales of barrels or packages already taxed by the affixation and cancellation of stamps as provided in this section.

(2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there is imposed an additional tax in the amount of two percent of the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

(3) The ((above)) tax imposed under this section shall not apply to "strong beer" as defined in this title.

Sec. 26. Section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 1, chapter 148, Laws of 1981 and RCW 84.33.071 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 imposed 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, 1974 and June 30, 1983, inclusive, the stumpage value of timber harvested for sale or for commercial or industrial use multiplied by six and one-half percent((:)); plus

(b) For timber harvested between April 1, 1982, and June 30, 1983, inclusive, two percent of the tax payable under (a) of this subsection. To facilitate collection of this additional tax, the department of revenue is authorized to adjust the total tax rate under this section to the nearest one-tenth of one percent, adjusting one-hundredths equal to or greater than five one-hundredths to the greater tenth.

(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) 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. Each year on or before December 31 for use the following January through June 30, and on or before June 30 for use the following July through December 31, 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, blow down, 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 ways and means committees of the house and senate 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 the sixtieth day after the date of final adoption of any stumpage value tables, 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 account A and a state timber tax reserve account in the state general fund and any interest earned on the investment of cash balances shall be deposited in these accounts. The revenues from the tax imposed by subsection (1)(a) of this section shall be deposited in state timber tax account A and state timber tax reserve account as follows:

YEAR OF COLLECTION	ACCOUNT A	RESERVE ACCOUNT
1973 and thereafter	100%	0%

The revenues from the tax imposed by subsection (1)(b) of this section shall be deposited in the state general fund.

(6) 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 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.

(7) 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.

(8) 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.

NEW SECTION. Sec. 27. (1) If the actual revenues, including penalties and interest collected under chapter 82.32 RCW upon taxes imposed under the chapters enumerated in this section, as:

(a) Collected under chapters 82.04, 82.08, 82.12, 82.16, and 82.26 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through August 10, 1982; and

(b) Collected under RCW 28A.47.440, and chapters 82.24 and 82.45 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through July 31, 1982;

equal or exceed two billion four hundred thirteen million two hundred thousand dollars, or are less than or equal to two billion three hundred thirty-three million two hundred thousand dollars, then the rates for those additional taxes imposed by this act, except for the additional tax imposed by section 12 of this act, shall be uniformly adjusted either downward or upward to generate five billion three hundred forty-nine million seven hundred thousand dollars in revenues from taxes, imposed under the chapters enumerated in this subsection and under RCW 28A.47.440, for the entire biennium beginning July 1, 1981.

(2) The effective date of the adjustments under subsection (1) of this section shall be as follows:

(a) For taxes imposed under sections 10, 11, 20, and 26 of this act, the date shall be October 1, 1982.

(b) For all other taxes imposed under this act except the tax imposed under section 12 of this act, the date shall be September 1, 1982.

(3) If the actual revenues, including penalties and interest collected under chapter 82.32 RCW upon taxes imposed under the chapters enumerated in this subsection, as:

(a) Collected under chapters 82.04, 82.08, 82.12, 82.16, and 82.26 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through November 10, 1982; and

(b) Collected under RCW 28A.47.440, and chapters 82.24 and 82.45 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through October 31, 1982;

equal or exceed three billion one hundred seventy-three million nine hundred thousand dollars, or are less than or equal to three billion seventy million nine hundred thousand dollars, then the rates for those additional taxes imposed by this act, except for the additional tax imposed by section 12 of this act, shall be uniformly adjusted either downward or upward to generate five billion three hundred forty-nine million seven hundred thousand dollars in revenues from taxes, imposed under the chapters enumerated in this subsection and under RCW 28A.47.440, for the entire biennium beginning July 1, 1981.

(4) The effective date of the adjustments under subsection (3) of this section shall be as follows:

(a) For taxes imposed under sections 10, 11, 20, and 26 of this act, the date shall be January 1, 1983.

(b) For all other taxes imposed under this act except the tax imposed under section 12 of this act, the date shall be December 1, 1982.

(5) The department of revenue may adopt rules to implement this act. The department and the insurance commissioner shall adjust the tax rates in accordance with this section, and for purposes of facilitating the collection of the adjustments of additional tax shall adjust the rates of each tax imposed under sections 2, 8, and 26 of this act to the nearest decimal or percentage in the manner provided for each such tax by this act.

NEW SECTION. Sec. 28. The following acts or parts of acts are each repealed:

(1) Section 49, chapter 37, Laws of 1980, section 3, chapter 86, Laws of 1980, section 1, chapter 18, Laws of 1981 and RCW 82.08.0284; and

(2) Section 76, chapter 37, Laws of 1980, section 4, chapter 86, Laws of 1980 and RCW 82.12.0278.

NEW SECTION. Sec. 29. There is added to chapter 82.08 RCW a new section to read as follows:

(1) The tax levied by RCW 82.08.020 shall not apply to sales of food products for human consumption.

"Food products" include cereals and cereal products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products.

"Food products" include milk and milk products, milk shakes, malted milks, and any other similar type beverages which are composed at least in part of milk or a milk product and which require the use of milk or a milk product in their preparation.

"Food products" include all fruit juices, vegetable juices, and other beverages except bottled water, spirituous, malt or vinous liquors or carbonated beverages, whether liquid or frozen.

"Food products" do not include medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.

The exemption of "food products" provided for in this subsection shall not apply: (a) When the food products are furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware whether provided by the retailer or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, except for food products furnished as meals under a state administered nutrition program for the aged as provided for in the Older American Act (P.L. 95-478 Title III) and RCW 74.38.040(6), or (b) when the food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location, even though such products are sold on a "takeout" or "to go" order and are actually packaged or wrapped and taken from the premises of the retailer, or (c) when the food products are sold for consumption within a place, the entrance to which is subject to an admission charge, except for national and state parks and monuments.

(2) Subsection (1) of this section notwithstanding, the retail sale of food products is subject to sales tax under RCW 82.08.020 if the food products are sold through a vending machine, and in this case the selling price for purposes of RCW 82.08.020 is fifty-seven percent of the gross receipts.

This subsection does not apply to hot prepared food products, other than food products which are heated after they have been dispensed from the vending machine.

For tax collected under this subsection, the requirements that the tax be collected from the buyer and that the amount of tax be stated as a separate item are waived.

NEW SECTION. Sec. 30. There is added to chapter 82.12 RCW a new section to read as follows:

The provisions of this chapter shall not apply in respect to the use of food products for human consumption.

"Food products" include cereals and cereal products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products.

"Food products" include milk and milk products, milk shakes, malted milks, and any other similar type beverages which are composed at least in part of milk or

a milk product and which require the use of milk or a milk product in their preparation.

"Food products" include all fruit juices, vegetable juices, and other beverages except bottled water, spirituous, malt or vinous liquors or carbonated beverages, whether liquid or frozen.

"Food products" do not include medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.

The exemption of "food products" provided for in this paragraph shall not apply: (a) When the food products are furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware whether provided by the retailer or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, except for food products furnished as meals under a state administered nutrition program for the aged as provided for in the Older American Act (P.L. 95-478 Title III) and RCW 74.38.040(6), or (b) when the food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location, even though such products are sold on a "takeout" or "to go" order and are actually packaged or wrapped and taken from the premises of the retailer, or (c) when the food products are sold for consumption within a place, the entrance to which is subject to an admission charge, except for national and state parks and monuments.

NEW SECTION. Sec. 31. 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. 32. (1) This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except as follows:

(a) Sections 1, 5, 6, 11, 19 through 23, and 26 of this act shall take effect April 1, 1982;

(b) Sections 2, 3, 4, 7, 8, 9, 15, 24, 25, and 28 of this act shall take effect May 1, 1982;

(c) Sections 16, 17, and 18 of this act shall take effect on April 1, 1982, only if Engrossed Senate Bill No. 4578 is not enacted into law by May 1, 1982. If that bill is so enacted, sections 16, 17, and 18 of this act shall not take effect; and

(d) Sections 29 and 30 of this act shall take effect July 1, 1983.

(2) Each section of this act having an effective date specified in this act shall take effect on that date, notwithstanding the date this act, or any part thereof, becomes law under Article III, section 12 of the state Constitution."

PARLIAMENTARY INQUIRY

Senator Rasmussen: "Mr. President, what is there to strike on a 'title only' bill? And are we proceeding in the proper order?"

REPLY BY THE PRESIDENT

President Cherberg: "The President believes that the striking amendment may be striking the new section 1, Senator Rasmussen."

POINT OF INFORMATION

Senator Rasmussen: "Could you tell me, Mr. President, I am not aware what section 1 is."

REPLY BY THE PRESIDENT

President Cherberg: "Section 1. This act may be known and cited as the revenue and taxation act of 1981."

POINT OF INFORMATION

Senator Rasmussen: "Thank you, Mr. President. And what we will do, is then striking the revenue and taxation act of 1981."

REPLY BY THE PRESIDENT

President Cherberg: "Possibly, Senator."

Senator Rasmussen: "Thank you. I learn something every day."

MOTION

On motion of Senator Scott, the following amendment to the amendment was adopted:

On page 31, after line 26, insert the following:

"Sec. 31. Section 82.32.045, chapter 7, Laws of 1981 as amended by section 7, chapter 172, Laws of 1981 and RCW 82.32.045 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, payments of the taxes imposed under chapters 82.04, 82.08, 82.12, 82.14, and 82.16 RCW, along with reports and returns on forms prescribed by the department, are due monthly within the number of days specified in the following table after the end of the month in which the taxable activities occur.

For activities occurring in	Days
October, 1981 through March, 1982	25
April, 1982 through March, 1983	20
April, 1983 and thereafter	15

(2) Any taxpayer required to make monthly returns and payments pursuant to this section may elect to remit each month, on such forms as the department of revenue shall in its discretion prescribe, an estimate of the tax to be due for each month on or before the due date of the month next succeeding the end of the monthly period in which the tax accrued, and a separate quarterly return to the department on or before the last day of the month next succeeding the end of each quarter of every year and shall remit therewith the balance of the actual tax due for the period of the report: PROVIDED, That every person who shall elect to remit a monthly "estimate of the tax to be due" as hereinabove described shall remit in the same month in which the estimate is due that amount which is the greater of (i) one-third of the tax due during the corresponding quarter in the previous year or, (ii) ninety percent of the tax actually collected or owing for the month immediately preceding the month for which remittance is made.

(3) The department of revenue may relieve any taxpayer or class of taxpayers from the obligation of remitting monthly and may require the return to cover other longer reporting periods, but in no event may returns be filed for a period greater than one year. For these taxpayers, tax payments are due on or before the last day of the month next succeeding the end of the period covered by the return.

(4) The department of revenue may also require verified annual returns from any taxpayer, setting forth such additional information as it may deem necessary to correctly determine tax liability."

Renumber the sections consecutively and correct all internal references accordingly.

The motion by Senator Scott carried and the amendment to the amendment was adopted.

On motion of Senator Scott, the following amendment to the title was adopted:

On page 1, on line 1 of the title, after "taxation;" insert "amending section 5, chapter 91, Laws of 1947 as last amended by section 1, chapter 42, Laws of 1967 and RCW 41.16.050; amending section 3, chapter 261, Laws of 1945 as last amended by section 26, chapter 3, Laws of 1981 and RCW 41.24.030; amending section .14.02, chapter 79, Laws of 1947 as last amended by section 2, chapter 233, Laws of 1979 ex. sess. and RCW 48.14.020; amending section 2, chapter 278, Laws of 1957 as last amended by section 2, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.020; amending section 6, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.025; amending section 4, chapter 278, Laws of 1957 as amended by section 31, chapter 278, Laws of 1975 1st ex. sess. and RCW 54.28.040; amending section 5, chapter 278, Laws of 1957 as last amended by section 8, chapter 154, Laws of 1980 and RCW 54.28.050; amending section 7, chapter 366, Laws of 1977 ex. sess. as amended by section 165, chapter 151, Laws of 1979 and RCW 54.28.055; amending section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 12, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.210; amending section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 16, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.290; amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 324, Laws of 1977 ex. sess. and RCW 82.04.2901; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 8, Laws of 1981 2nd ex. sess. and RCW 82.08.020; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 25, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.150; amending section 82.08.160, chapter 15, Laws of 1961 as last amended by section 26, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.160; amending section 82.16.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 299, Laws of 1971 ex. sess. and RCW 82.16.020; amending section 82.16.030, chapter 15, Laws of 1961 and RCW 82.16.030; amending section 82.20.010, chapter 15, Laws of 1961 and RCW 82.20.010; amending section 82.24.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 172, Laws of 1981 and RCW 82.24.020; amending section 82.26.020, chapter 15, Laws of 1961 as last amended by section 71, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.26.020; amending section 2, chapter 98, Laws of 1980 and RCW 82.27.020; amending section 3, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 82.29A.030; amending section 82.44.020, chapter 15, Laws of 1961 as last amended by section 10, chapter 222, Laws of 1981 and RCW 82.44.020; amending section 82.44.110, chapter 15, Laws of 1961 as last amended by section 235, chapter 158, Laws of 1979 and RCW 82.44.110; amending section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 4, chapter 175, Laws of 1979 ex. sess. and RCW 82.44.150; amending section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 154, Laws of 1980 and RCW 82.45.060; amending section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 1, chapter 148, Laws of 1981 and RCW 84.33.071; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; repealing section 49, chapter 37, Laws of 1980, section 3, chapter 86, Laws of 1980, section 1, chapter 18, Laws of 1981 and RCW 82.08.0284; repealing section 76, chapter 37, Laws of 1980, section 4, chapter 86, Laws of 1980 and RCW 82.12.0278; providing effective dates; and declaring an emergency."

On motion of Senator Scott, the following amendment to the title was adopted:

On page 33, on line 28, after "030;" insert the following "amending section 82.32.045, chapter 7, Laws of 1981 as amended by section 7, chapter 172, Laws of 1981, and RCW 82.32.045;"

On motion of Senator Scott, the rules were suspended, Engrossed Senate Bill No. 4372 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Talmadge: "Senator Scott, first question is whether or not there is any provision made in the bill for the poor and the elderly to, in some fashion, receive a rebate if they are, in fact, having to pay this sales tax on food?"

Senator Scott: "I am please that you asked that question, Senator Talmadge, because there have been several members from both sides of the aisle that have been pursuing the question during the last week.

"We tried a number of mechanisms, beginning with the idea in the Kansas plan, and found that there are several inhibiting factors that make it almost impossible to efficiently administer. The first is, as we know in this state, we are one of the few without an income tax and therefore any claimant would have to find and Xerox a copy of his 1040 or whatever he was using, mail it in with the claim in order to establish his income level. That is a relatively minor problem.

"A more major problem is that there would be a potential for those under \$8,000, of 332,000 claimants. Compare this with the 250,000 total payees in a given year to the department of revenue now and you find out how much additional administrative staff would have to be added.

"Thirdly, the amount of the potential rebate we were looking into was \$50 per household. Now a 4-person household under the sales tax rate suggested in this bill would pay about \$200 a year in sales tax. In short, they would be eligible, should they be below the income level, \$8,000 was the level we were using, to claim a rebate. The administrative costs of doing so would be between \$7 and \$10. In short, there would be between a 14% and a 20% administrative cost of doing it.

"The final reason was that if you expanded the base beyond that, at one time some member suggested to me they might want to include those on UC (Unemployment Compensation), some 200,000 people now. The added cost of providing for those people who may be in an even more difficult situation and those that are below \$80,000, would have been an additional \$72,000,000 on top of the \$17,000,000 that would be necessary for the \$50 rebate.

"And lastly, there is a question as to how many claimants there would be. Are you talking about \$7,000,000 or \$17,000,000? And in our predicament, we felt we needed to know.

"For all the reasons above, it was decided not to incorporate it."

Senator Talmadge: "The second question, Senator, was 'What winter session?'"

POINT OF INQUIRY

Senator Quigg: "Senator Scott, what impact does substitute Senate bill 4372 have on property taxes?"

Senator Scott: "None."

Senator Quigg: "Thank you."

POINT OF INQUIRY

Senator Hansen: "Senator Scott, on page 13, line 15, in answering your question, Senator Quigg, you said it would be 'none,' but as I read from line 15 to line 18, there would be an additional 1% excise tax on property from May of '82 until June of '83."

Senator Scott: "Senator, I stand corrected. I thought that Senator Quigg was referring to the basic property tax. The tax referred to is the 1% excise tax on transfer of property. That would be subject to the 2% increase on a thousand-dollar piece of property would go from \$10 to \$10.20, relatively minor figure, but it is not on property per se but on the privilege tax, the right of transferring property."

Senator Hansen: "In other words, I am reading this wrong then, because on line 14, 13 and 14, it says 'There is imposed an excise tax upon the sale of real estate property at the rate of 1% of the selling price.'"

Senator Scott: "That is existing law, Senator."

Senator Hansen: "That is existing law, but then on line 16, it says 'An additional tax shall be imposed in the amount of 2%. . . .'"

Senator Scott: "2% of the tax already payable. . . ."

Senator Hansen: "I stand corrected; thank you."

POINT OF INQUIRY

Senator Fuller: "Senator Scott, I always have trouble with this kind of double speaking (sic) statute language. And you tell us that this is to impose a tax on food. Now as I read page 29, section 29, it seems to say the opposite. Can you explain this to me, how we know what the rate is and how it is being applied?"

Senator Scott: "Senator Fuller, could you restate that, I am afraid I was too busy finding page 29."

Senator Fuller: "On page 29, section 29, and your language like you were explaining the bill to us, you said it imposed sales tax on food stuffs. As I read this section, it seems to say the opposite. Perhaps you could help me understand this language where it states the rates and how and where it is applied."

Senator Scott: "Well, the rate is applied on exactly the same food as we have now, plus, excuse me, the same products as we have now, plus it is applied to food and food products include, starting on line 20, 'All fruit juices, vegetable juices, beverages,' and so on. Food products do not include medicines per the earlier initiative by the legislature, take it off of medicine. The exemptions further are 'the food products do not apply to', and then you get down to the last paragraph and then you have all of the standard food products that are to be included under the sales tax. This is an extension to standard food products, less medicines, and the things that were previously taken off, I think it was by initiative, or by our action."

Senator Fuller: "Well, I am sorry to be so slow to catch this, but as I read the language there, it said 'The tax shall not apply to sales of food products for human consumption. Food products included . . .' this is great variety of food there. I am not trying to be difficult, I am just trying to understand the thing."

REMARKS BY SENATOR McDERMOTT

Senator McDermott: "Mr. President, Senator Fuller, if you look on the bottom of page 28, you will see section 28 that repeals the sales tax exemption on food, 82.08.0284. Then the next sections, 29 and 30, reinstitute the exemptions, and if you look back on page 32, line 10, you will see sections 29 and 30 of this act shall take effect on July 1, '83."

"So section 28 takes the sales tax exemption out of the law, 29 and 30 put it back in the law, and put it into effect on July 1, 1983."

Senator Fuller: "Thank you, Senator McDermott."

POINT OF INQUIRY

Senator Wojahn: "Senator Scott, is there any provision in this bill, I cannot find it, is there any provision to remove the sales tax on food stamps, or will the person that buys food stamps be required to pay a sales tax when they acquire them?"

Senator Scott: "They are not now taxed nor will they be taxed, Senator Wojahn."

Senator Wojahn: "I know they are not taxed now but they were before the tax was removed on food."

Senator Scott: "There will not be a tax on food stamps."

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4372, and the bill failed to pass the Senate by the following vote: Yeas, 20; nays, 28; excused, 1.

Voting yea: Senators Benitz, Bluechel, Clarke, Deccio, Fuller, Gallagher, Gould, Guess, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, Newhouse, Patterson, Quigg, Scott, Sellar, Zimmerman—20.

Voting nay: Senators Bauer, Bottiger, Charnley, Conner, Craswell, Fleming, Gaspard, Goltz, Haley, Hughes, Hurley, Lysen, McCaslin, McDermott, Metcalf, Moore, Peterson, Pullen, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody—28.

Excused: Senator Talley—1.

ENGROSSED SENATE BILL NO. 4372, having failed to receive the constitutional majority, was declared lost.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Bottiger moved the Senate reconsider the vote by which Engrossed Senate Bill No. 4372 failed to pass today.

Debate ensued.

MOTION

At 5:58 p.m., on motion of Senator Clarke, the Senate recessed until 7:00 p.m.

EVENING SESSION

The President called the Senate to order at 7:00 p.m.

MESSAGES FROM THE HOUSE

April 6, 1982.

Mr. President: The Speaker has signed: SENATE BILL NO. 4640, and the same is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

April 6, 1982.

Mr. President: The House has adopted the report of the Free Conference Committee on HOUSE BILL NO. 600 and has passed the bill as recommended by the Free Conference Committee.

PATRICIA M. WILLIAMS, Chief Clerk.

April 6, 1982.

Mr. President: The Speaker has signed: HOUSE BILL NO. 600, and the same is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: HOUSE BILL NO. 600.

MOTION

At 7:10 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 8:00 p.m.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side and having served prior notice, on motion of Senator Bottiger, the Senate moved to reconsider the vote by which Engrossed Senate Bill No. 4372 failed to pass the Senate.

MOTION

On motion of Senator Clarke, the rules were suspended, Engrossed Senate Bill No. 4372 was returned to second reading.

SECOND READING

ENGROSSED SENATE BILL NO. 4372, by Senator Scott:

Relating to revenue and taxation.

Senator Scott moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 324, Laws of 1977 ex. sess. and RCW 82.04.2901 are each amended to read as follows:

From and after the first day of (~~June, 1976~~) April, 1982, until and including the thirtieth day of June, ((1979)) 1983, there is levied and shall be collected from every person for the act or privilege of engaging in business activities, as a part of the tax imposed by the provisions of RCW 82.04.220 through 82.04.290, inclusive, an additional tax in the amount of (~~six~~) ten percent of the tax payable under the provisions of RCW 82.04.220 through 82.04.290, inclusive. To facilitate collection of this additional tax, the department of revenue is authorized to adjust the basic rates of persons to which this section applies in such manner as to reflect the amount to the nearest one-thousandth of one percent of the additional tax hereby imposed, adjusting ten-thousandths equal to or greater than five ten-thousandths to the greater thousandth.

Sec. 2. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 8, Laws of 1981 2nd ex. sess. and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to four and one-half percent of the selling price: PROVIDED, That from and after the first day of December, 1981, until and including the thirtieth day of June, 1983, such tax shall be levied and collected in an amount equal to five and five-tenths percent of the selling price: PROVIDED FURTHER, That from and after the the first day of May, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the taxes payable under this section. To facilitate collection of this additional tax, the department of revenue may adjust the rate of the additional tax to the next highest one-tenth of one percent if the additional tax is five one-hundredths of one percent or more, or to the next lowest one-tenth of one percent if the additional tax is less than five one-hundredths of one percent.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate, including any additional tax rate, provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 3. Section 82.08.150, chapter 15, Laws of 1961 as last amended by section 25, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected a tax upon each retail sale of spirits, or strong beer in the original package at the rate of fifteen percent of the selling price. The tax imposed in this subsection shall apply to all such sales including sales by the Washington state liquor stores and agencies, but excluding sales to class H licensees.

(2) There is levied and shall be collected a tax upon each sale of spirits, or strong beer in the original package at the rate of ten percent of the selling price on sales by Washington state liquor stores and agencies to class H licensees.

(3) There is levied and shall be collected an additional tax upon each retail sale of spirits in the original package at the rate of one dollar and seventy-two cents per liter. The additional tax imposed in this subsection shall apply to all such sales including sales by Washington state liquor stores and agencies, and including sales to class H licensees.

(4) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there is imposed an additional tax in the amount of ten percent of the taxes payable under subsections (1), (2), and (3) of this section.

(5) The tax imposed in RCW 82.08.020, as now or hereafter amended, shall not apply to sales of spirits or strong beer in the original package.

~~((5))~~ (6) The taxes imposed in this section shall be paid by the buyer to the seller, and each seller shall collect from the buyer the full amount of the tax payable in respect to each taxable sale under this section. The taxes required by this section to be collected by the seller shall be stated separately from the selling price and for purposes of determining the tax due from the buyer to the seller, it shall be conclusively presumed that the selling price quoted in any price list does not include the taxes imposed by this section.

~~((6))~~ (7) As used in this section, the terms, "spirits," "strong beer," and "package" shall have the meaning ascribed to them in chapter 66.04 RCW.

Sec. 4. Section 82.08.160, chapter 15, Laws of 1961 as last amended by section 26, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.160 are each amended to read as follows:

On or before the twenty-fifth day of each month, all taxes collected under RCW 82.08.150 during the preceding month shall be remitted to the state department of revenue, to be deposited with the state treasurer. Upon receipt of such moneys the state treasurer shall credit sixty-five percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) and one hundred percent of the sums collected and remitted under RCW 82.08.150 (3) and (4) to the state general fund and thirty-five percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) to a fund which is hereby created to be known as the "liquor excise tax fund."

Sec. 5. Section 82.16.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 299, Laws of 1971 ex. sess. and RCW 82.16.020 are each amended to read as follows:

(1) There is levied and there shall be collected from every person a tax for the act or privilege of engaging within this state in any one or more of the businesses herein mentioned. The tax shall be equal to the gross income of the business, multiplied by the rate set out after the business, as follows:

~~((1))~~ (a) Railroad, express, railroad car, water distribution, light and power, telephone and telegraph businesses: Three and six-tenths percent;

~~((2))~~ (b) Gas distribution business: Three percent;

~~((3))~~ (c) Urban transportation business: Six-tenths of one percent;

~~((4))~~ (d) Vessels under sixty-five feet in length, except tugboats, operating upon the waters within the state: Six-tenths of one percent;

~~((5))~~ (e) Motor transportation and tugboat businesses, and all public service businesses other than ones mentioned above: One and eight-tenths of one percent.

(2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the tax payable under subsection (1) of this section.

Sec. 6. Section 82.16.030, chapter 15, Laws of 1961 and RCW 82.16.030 are each amended to read as follows:

Every person engaging in businesses which are within the purview of two or more of schedules (~~((1), (2), (3), (4) and (5))~~) (a), (b), (c), (d), and (e) of RCW 82.16.020(1), shall be taxable under each schedule applicable to the businesses engaged in.

Sec. 7. Section 82.20.010, chapter 15, Laws of 1961 and RCW 82.20.010 are each amended to read as follows:

There is levied and there shall be collected a tax upon conveyances as follows: On any deed, instrument, or writing (unless deposited in escrow before May 1, 1935), whereby any lands, tenements, or other realty sold shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser, or any other person by his direction, when the consideration or value of the interest or property conveyed, exclusive of the value of any lien or encumbrance remaining thereon at the time of sale, exceeds one hundred dollars and does not exceed five hundred dollars or fractional part thereof, fifty cents; and for each additional five hundred dollars or fractional part thereof, fifty cents: PROVIDED, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the tax payable under this section. This section shall not apply to any instrument or writing, given to secure a debt, nor to any conveyance to the state.

Sec. 8. Section 82.24.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 172, Laws of 1981 and RCW 82.24.020 are each amended to read as follows:

There is levied and there shall be collected as hereinafter provided, a tax upon the sale, use, consumption, handling, possession or distribution of all cigarettes, in an amount equal to the rate of eight and one-half mills per cigarette: PROVIDED, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the tax payable under this section: PROVIDED FURTHER, That to facilitate collection of this additional tax, the department of revenue may adjust the rate of the additional tax to the next highest mill. For purposes of this chapter and RCW 28A.47.440, "possession" shall mean both (1) physical possession by the purchaser and, (2) when cigarettes are being transported to or held for the purchaser or his designee by a person other than the purchaser, constructive possession by the purchaser or his designee, which constructive possession shall be deemed to occur at the location of the cigarettes being so transported or held.

Sec. 9: Section 82.26.020, chapter 15, Laws of 1961 as last amended by section 71, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.26.020 are each amended to read as follows:

(1) From and after June 1, 1971, there is levied and there shall be collected a tax upon the sale, use, consumption, handling, or distribution of all tobacco products in this state at the rate of forty-five percent of the wholesale sales price of such tobacco products: PROVIDED, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the tax payable under this subsection. Such tax shall be imposed at the time the distributor (a) brings, or causes to be brought, into this state from without the state tobacco products for sale, (b) makes, manufactures, or fabricates tobacco products in this state for sale in this state, or (c) ships or transports tobacco products to retailers in this state, to be sold by those retailers.

(2) A floor stocks tax is hereby imposed upon every distributor of tobacco products at the rate of twenty-five percent of the wholesale sales price of each tobacco product in his possession or under his control on July 1, 1959.

Each distributor, within twenty days after July 1, 1959 shall file a report with the department, in such form as the department may prescribe, showing the tobacco products on hand on July 1, 1959 and the amount of tax due thereon.

The tax imposed by this subdivision shall be due and payable within twenty days after July 1, 1959 and thereafter shall bear interest at the rate of one percent per month.

Sec. 10. Section 2, chapter 98, Laws of 1980 and RCW 82.27.020 are each amended to read as follows:

(1) In addition to all other taxes, licenses, or fees provided by law there is established an excise tax on the possession of food fish and shellfish for commercial purposes as provided in this chapter. The tax is levied upon and shall be collected from the owner of the food fish or shellfish whose possession constitutes the taxable event. The taxable event is the first possession by an owner after the food fish or shellfish have been landed. Processing and handling of food fish and shellfish by a person who is not the owner is not a taxable event to the processor or handler.

(2) A person in possession of food fish and shellfish and liable to this tax may deduct from the price paid to the person from which such food fish or shellfish (except oysters) are purchased an amount equal to a tax at one-half the rate levied in this section upon these products.

(3) The measure of the tax is the price paid by the first person in possession of the food fish or shellfish. If the food fish or shellfish are acquired other than by purchase or are purchased under conditions where the purchase price does not represent the value of the food fish or shellfish or these products are transferred outside the state without sale, the measure of the tax shall be determined as nearly as possible according to the selling price of similar products of like quality and character under rules adopted by the department of revenue.

(4) The tax shall be equal to the measure of the tax multiplied by the rates for food fish and shellfish as follows:

- (a) Chinook, coho, and chum salmon: Five percent.
- (b) Pink and sockeye salmon: Three percent.
- (c) Other food fish and shellfish, except oysters: Two percent.
- (d) Oysters: Seven one-hundredths of one percent.

(5) From and after the first day of July, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the tax payable under subsection (4) of this section.

Sec. 11. Section 3, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 82.29A.030 are each amended to read as follows:

There is hereby levied and shall be collected a leasehold excise tax on the act or privilege of occupying or using publicly owned real or personal property through a leasehold interest on and after January 1, 1976, at a rate of twelve percent of taxable rent: PROVIDED, That from and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the tax payable under this section: PROVIDED FURTHER, That after the computation of the tax there shall be allowed credit for any tax collected pursuant to RCW 82.29A.040.

Sec. 12. Section 82.44.020, chapter 15, Laws of 1961 as last amended by section 10, chapter 222, Laws of 1981 and RCW 82.44.020 are each amended to read as follows:

(1) An excise tax is imposed for the privilege of using in the state any motor vehicle, except those operated under reciprocal agreements, the provisions of RCW

46.16.160 as now or hereafter amended, or dealer's licenses. The annual amount of such excise tax shall be two percent of the fair market value of such vehicle.

(2) From and after August 1, 1978, and until August 1, 2008, an additional excise tax is imposed, in addition to any other tax imposed by this section, for the privilege of using in the state any such motor vehicle, and the annual amount of such additional excise shall be two-tenths of one percent of the fair market value of such vehicle.

(3) The department of licensing and county auditors shall collect the additional tax imposed by subsection (2) of this section for any registration year for the months of that registration year in which such additional tax is effective, and in the same manner and at the same time as the tax imposed by subsection (1) of this section.

(4) In no case shall the total tax be less than two dollars except for proportionally registered vehicles.

(5) From and after the first day of July, 1982, until and including the thirtieth day of June, 1983, a surtax is imposed, in addition to the taxes imposed by subsections (1) and (2) of this section, for the privilege of using in the state any such motor vehicle. The annual amount of such surtax shall be ten percent of the taxes payable under subsections (1) and (2) of this section.

Sec. 13. Section 82.44.110, chapter 15, Laws of 1961 as last amended by section 235, chapter 158, Laws of 1979 and RCW 82.44.110 are each amended to read as follows:

The county auditor shall regularly, when remitting license fee receipts, pay over and account to the director of licensing for the excise taxes collected under the provisions of this chapter. The director shall forthwith transmit the excise taxes to the state treasurer, ninety-eight percent of which excise tax revenue shall upon receipt thereof be credited by the state treasurer to the general fund, and two percent of which excise tax revenue shall be credited by the state treasurer to the motor vehicle fund to defray administrative and other expenses incurred by the state department of licensing in the collection of the excise tax: **PROVIDED**, That one hundred percent of the proceeds of the additional two-tenths of one percent excise tax imposed by RCW 82.44.020(2), as now or hereafter amended, shall be credited by the state treasurer to the Puget Sound capital construction account in the motor vehicle fund: **PROVIDED FURTHER**, That all revenues collected under RCW 82.44.020(5) shall be credited by the state treasurer to the general fund.

Sec. 14. Section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 4, chapter 175, Laws of 1979 ex. sess. and RCW 82.44.150 are each amended to read as follows:

(1) The director of licensing shall on the twenty-fifth day of February, May, August and November of each year, commencing with November, 1971, advise the state treasurer of the total amount of motor vehicle excise taxes remitted to the department of licensing during the preceding calendar quarter ending on the last day of March, June, September and December, respectively, except for those payable under RCW 82.44.020(5), 82.44.030 and 82.44.070, from motor vehicle owners residing within each municipality which has levied a tax under RCW 35.58.273, which amount of excise taxes shall be determined by the director as follows:

The total amount of motor vehicle excise taxes remitted to the department, except those payable under RCW 82.44.020(5), 82.44.030 and 82.44.070, from each county shall be multiplied by a fraction, the numerator of which is the population of the municipality residing in such county, and the denominator of which is the total population of the county in which such municipality or portion thereof is located. The product of this computation shall be the amount of excise taxes from motor vehicle owners residing within such municipality or portion thereof. Where the municipality levying a tax under RCW 35.58.273 is located in more than one county, the above computation shall be made by county, and the combined products

shall provide the total amount of motor vehicle excise taxes from motor vehicle owners residing in the municipality as a whole. Population figures required for these computations shall be supplied to the director by the office of financial management, who shall adjust the fraction annually.

(2) On the first day of the months of January, April, July, and October of each year, the state treasurer based upon information provided by the department of licensing shall make the following apportionment and distribution of motor vehicle excise taxes deposited in the general fund except taxes collected under RCW 82.44.020(5). A sum equal to seventeen percent thereof shall be paid to cities and towns in the proportions and for the purposes hereinafter set forth; a sum equal to seventy percent of all motor vehicle excise tax receipts, except taxes collected under RCW 82.44.020(5), shall be allocable to the state school equalization fund and credited and transferred each year in the following order of priority:

(a) The amount required and certified by the state finance committee each year as being necessary for payment of principal of and interest on bonds authorized by ~~((chapter 26, Laws of 1963 extraordinary session))~~ RCW 28A.47.760 through 28A.47.774 in the ensuing twelve months and any additional amounts required by the covenants of such bonds shall be transferred from the state school equalization fund to the 1963 public school building bond retirement fund.

(b) Any remaining amounts in the state school equalization fund from the motor vehicle excise taxes not required for debt service on the above bond issues shall be transferred and credited to the general fund.

(3) The amount payable to cities and towns shall be apportioned among the several cities and towns within the state ratably, on the basis of the population as last determined by the office of financial management.

(4) When so apportioned, the amount payable to each such city and town shall be transmitted to the city treasurer thereof, and shall be utilized by such city or town for the purposes of police and fire protection and the preservation of the public health therein, and not otherwise. In case it be adjudged that revenue derived from the excise tax imposed by this chapter cannot lawfully be apportioned or distributed to cities or towns, all moneys directed by this section to be apportioned and distributed to cities and towns shall be credited and transferred to the state general fund.

(5) On the first day of the months of January, April, July, and October of each year, the state treasurer, based upon information provided by the department of licensing, shall remit motor vehicle excise tax revenues imposed and collected under RCW 35.58.273 as follows:

(a) The amount required to be remitted by the state treasurer to the treasurer of any municipality levying the tax shall not exceed in any calendar year the amount of locally-generated tax revenues, excluding the excise tax imposed under RCW 35.58.273 for the purposes of this section, which shall have been budgeted by the municipality to be collected in such calendar year for any public transportation purposes including but not limited to operating costs, capital costs, and debt service on general obligation or revenue bonds issued for these purposes; and

(b) In no event may the amount remitted in a single calendar quarter exceed the amount collected on behalf of the municipality under RCW 35.58.273 during the calendar quarter next preceding the immediately preceding quarter.

(6) At the close of each calendar year accounting period, but not later than April 1, each municipality that has received motor vehicle excise taxes under subsection (5) of this section shall transmit to the director of licensing and the state auditor a written report showing by source the previous year's budgeted tax revenues for public transportation purposes as compared to actual collections. Any municipality that has not submitted the report by April 1 shall cease to be eligible to receive motor vehicle excise taxes under subsection (5) of this section until the report is received by the director of licensing. If a municipality has received more or

less money under subsection (5) of this section for the period covered by the report than it is entitled to receive by reason of its locally-generated collected tax revenues, the director of licensing shall, during the next ensuing quarter that the municipality is eligible to receive motor vehicle excise tax funds, increase or decrease the amount to be remitted in an amount equal to the difference between the locally-generated budgeted tax revenues and the locally-generated collected tax revenues. In no event may the amount remitted for a calendar year exceed the amount collected on behalf of the municipality under RCW 35.58.273 during that same calendar year. At the time of the next fiscal audit of each municipality, the state auditor shall verify the accuracy of the report submitted and notify the director of licensing of any discrepancies.

(7) The motor vehicle excise taxes imposed under RCW 35.58.273 and required to be remitted under this section shall be remitted without legislative appropriation.

(8) Any municipality levying and collecting a tax under RCW 35.58.273 which does not have an operating, public transit system or a contract for public transportation services in effect within one year from the initial effective date of the tax shall return to the state treasurer all motor vehicle excise taxes received under subsection (5) of this section.

Sec. 15. Section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 154, Laws of 1980 and RCW 82.45.060 are each amended to read as follows:

There is imposed an excise tax upon each sale of real property at the rate of one percent of the selling price: PROVIDED, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax shall be imposed in the amount of ten percent of the tax payable under this section.

Sec. 16. Section .14.02, chapter 79, Laws of 1947 as last amended by section 2, chapter 233, Laws of 1979 ex. sess. and RCW 48.14.020 are each amended to read as follows:

(1) Subject to other provisions of this chapter, each authorized insurer except title insurers shall on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax on premiums. Except as provided in subsection (2) of this section, such tax shall be in the amount of two percent of all premiums, excluding amounts returned to or the amount of reductions in premiums allowed to holders of industrial life policies for payment of premiums directly to an office of the insurer, collected or received by the insurer during the preceding calendar year in the case of foreign and alien insurers, and in the amount of one percent of all such premiums in the case of domestic insurers, for direct insurances, other than ocean marine and foreign trade insurances, after deducting premiums paid to policyholders as returned premiums, upon risks or property resident, situated, or to be performed in this state. For the purposes of this section the consideration received by an insurer for the granting of an annuity shall not be deemed to be a premium.

(2) In the case of insurers which require the payment by their policyholders at the inception of their policies of the entire premium thereon in the form of premiums or premium deposits which are the same in amount, based on the character of the risks, regardless of the length of term for which such policies are written, such tax shall be in the amount of two percent of the gross amount of such premiums and premium deposits upon policies on risks resident, located, or to be performed in this state, in force as of the thirty-first day of December next preceding, less the unused or unabsorbed portion of such premiums and premium deposits computed at the average rate thereof actually paid or credited to policyholders or applied in part payment of any renewal premiums or premium deposits on one-year policies expiring during such year.

(3) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed in the amount of ten percent of each

tax payable under subsections (1) and (2) of this section. All revenues from this additional tax shall be deposited in the state general fund.

(4) Each authorized insurer shall with respect to all ocean marine and foreign trade insurance contracts written within this state during the preceding calendar year, on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax of three-quarters of one percent on its gross underwriting profit. Such gross underwriting profit shall be ascertained by deducting from the net premiums (i.e., gross premiums less all return premiums and premiums for reinsurance) on such ocean marine and foreign trade insurance contracts the net losses paid (i.e., gross losses paid less salvage and recoveries on reinsurance ceded) during such calendar year under such contracts. In the case of insurers issuing participating contracts, such gross underwriting profit shall not include, for computation of the tax prescribed by this subsection, the amounts refunded, or paid as participation dividends, by such insurers to the holders of such contracts.

~~((4))~~ (5) The state does hereby preempt the field of imposing excise or privilege taxes upon insurers or their agents, other than title insurers, and no county, city, town or other municipal subdivision shall have the right to impose any such taxes upon such insurers or their agents.

~~((5))~~ (6) If an authorized insurer collects or receives any such premiums on account of policies in force in this state which were originally issued by another insurer and which other insurer is not authorized to transact insurance in this state on its own account, such collecting insurer shall be liable for and shall pay the tax on such premiums.

~~((6))~~ (7) This section shall be effective as to and shall govern the payment of all taxes falling due after the effective date of this code.

Sec. 17. Section 5, chapter 91, Laws of 1947 as last amended by section 1, chapter 42, Laws of 1967 and RCW 41.16.050 are each amended to read as follows:

There is hereby created and established in the treasury of each municipality a fund which shall be known and designated as the firemen's pension fund, which shall consist of: (1) All bequests, fees, gifts, emoluments or donations given or paid thereto~~((:));~~ (2) forty-five percent of all moneys received by the state from taxes on fire insurance premiums, except any such moneys received under RCW 48.14.020~~(3);~~ (3) taxes paid pursuant to the provisions of RCW 41.16.060~~((:));~~ (4) interest on the investments of the fund~~((:));~~ and (5) contributions by firemen as provided for herein. The forty-five percent of moneys received from the tax on fire insurance premiums under the provisions of this chapter shall be distributed in the proportion that the number of paid firemen in the city, town or fire protection district bears to the total number of paid firemen throughout the state to be ascertained in the following manner: The secretary of the firemen's pension board of each city, town and fire protection district now or hereafter coming under the provisions of this chapter shall within thirty days after the taking effect of this 1961 amendatory act and on or before the fifteenth day of January thereafter, certify to the state treasurer the number of paid firemen in the fire department in such city, town or fire protection district. The state treasurer shall on or before the first day of June of each year deliver to the treasurer of each city, town and fire protection district coming under the provisions of this chapter his warrant, payable to each city, town or fire protection district for the amount due such city, town or fire protection district ascertained as herein provided and the treasurer of each such city, town or fire protection district shall place the amount thereof to the credit of the firemen's pension fund of such city, town or fire protection district.

Sec. 18. Section 3, chapter 261, Laws of 1945 as last amended by section 26, chapter 3, Laws of 1981 and RCW 41.24.030 are each amended to read as follows:

There is created in the state treasury a trust fund for the benefit of the firemen of the state covered by this chapter, which shall be designated the volunteer firemen's relief and pension fund and shall consist of:

(1) All bequests, fees, gifts, emoluments, or donations given or paid to the fund.
 (2) An annual fee for each member of its fire department to be paid by each municipal corporation for the purpose of affording the members of its fire department with protection from death or disability as herein provided as follows:

(a) Three dollars for each volunteer or part-paid member of its fire department;

(b) A sum equal to one-half of one percent of the annual salary attached to the rank of each full-paid member of its fire department, prorated for 1970 on the basis of services prior to March 1, 1970.

(3) Where a municipal corporation has elected to make available to the members of its fire department the retirement provisions as herein provided, an annual fee of thirty dollars for each of its firemen electing to enroll therein, ten dollars of which shall be paid by the municipality and twenty dollars of which shall be paid by the fireman.

(4) Forty percent of all moneys received by the state from ~~((its))~~ taxes on fire insurance premiums, except any such moneys received under RCW 48.14.020(3), shall be paid into the state treasury and credited to the fund.

(5) The state investment board, upon request of the state treasurer shall invest such portion of the amounts credited to the fund as is not, in the judgment of the treasurer, required to meet current withdrawals. Such investments may be made in such bonds, notes or other obligations now or hereafter authorized as an investment for the funds of the public employees' retirement system.

(6) All bonds or other obligations purchased according to ~~((subdivision))~~ subsection (5) of this section shall be forthwith placed in the custody of the state treasurer, and he shall collect the principal thereof and interest thereon when due.

The state investment board may sell any of the bonds or obligations so acquired and the proceeds thereof shall be paid to the state treasurer.

The interest and proceeds from the sale and redemption of any bonds or other obligations held by the fund shall be credited to and form a part of the fund.

All amounts credited to the fund shall be available for making the payments required by this chapter.

The state treasurer shall make an annual report showing the condition of the fund.

Sec. 19. Section 2, chapter 278, Laws of 1957 as last amended by section 2, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.020 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district a tax for the act or privilege of engaging within this state in the business of operating works, plants or facilities for the generation, distribution and sale of electric energy. With respect to each such district, except with respect to thermal electric generating facilities taxed under RCW 54.28.025, such tax shall be the sum of the following amounts: ~~((+))~~ (a) Two percent of the gross revenues derived by the district from the sale of all electric energy which it distributes to consumers who are served by a distribution system owned by the district; ~~((2))~~ (b) five percent of the first four mills per kilowatt-hour of wholesale value of self-generated energy distributed to consumers by a district; ~~((3))~~ (c) five percent of the first four mills per kilowatt-hour of revenue obtained by the district from the sale of self-generated energy for resale.

(2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there is levied and shall be collected an additional tax in the amount of ten percent of the tax payable under subsection (1) of this section.

Sec. 20. Section 6, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.025 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district operating a thermal electric generating facility, as defined in RCW 54.28.010 as now or hereafter amended, having a design capacity of two hundred fifty thousand kilowatts or more, located on a federal reservation, which is placed in operation after September 21, 1977, a tax for the act or privilege of engaging within the state in the business of generating electricity for use or sale, equal to one and one-half percent of wholesale value of energy produced for use or sale, except energy used in the operation of component parts of the power plant and associated transmission facilities under control of the person operating the power plant.

(2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there is levied and shall be collected an additional tax in the amount of ten percent of the tax payable under subsection (1) of this section.

Sec. 21. Section 4, chapter 278, Laws of 1957 as amended by section 31, chapter 278, Laws of 1975 1st ex. sess. and RCW 54.28.040 are each amended to read as follows:

Prior to May 1st, the department of revenue shall compute the tax imposed by this chapter for the last preceding calendar year and notify the district of the amount thereof, which shall be payable on or before the following June 1st. Upon receipt of the amount of each tax imposed the department of revenue shall deposit the same with the state treasurer, who shall deposit four percent (~~thereof~~) of the revenues received under RCW 54.28.020(1) and 54.28.025(1) and all revenues received under RCW 54.28.020(2) and 54.28.025(2) in the general fund of the state and shall distribute the remainder in the manner hereinafter set forth. The state treasurer shall send a duplicate copy of each (~~such letter of~~) transmittal to the department of revenue.

Sec. 22. Section 5, chapter 278, Laws of 1957 as last amended by section 8, chapter 154, Laws of 1980 and RCW 54.28.050 are each amended to read as follows:

After computing the tax imposed by RCW 54.28.020(1), the department of revenue shall instruct the state treasurer, after placing thirty-seven and six-tenths percent in the state general fund to be dedicated for the benefit of the public schools, to distribute the balance collected under RCW 54.28.020 (~~subsection~~) (1)(a) to each county in proportion to the gross revenue from sales made within each county; and to distribute the balance collected under RCW 54.28.020 (~~((2) and (3))~~) (1)(b) and (c) as follows: If the entire generating facility, including reservoir, if any, is in a single county then all of the balance to the county where such generating facility is located. If any reservoir is in more than one county, then to each county in which the reservoir or any portion thereof is located a percentage equal to the percentage determined by dividing the total cost of the generating facilities, including adjacent switching facilities, into twice the cost of land and land rights acquired for any reservoir within each county, land and land rights to be defined the same as used by the federal power commission. If the powerhouse and dam, if any, in connection with such reservoir are in more than one county, the balance shall be divided sixty percent to the county in which the owning district is located and forty percent to the other county or counties or if said powerhouse and dam, if any, are owned by a joint operating agency organized under chapter 43.52 RCW, or by more than one district or are outside the county of the owning district, then to be divided equally between the counties in which such facilities are located. If all of the powerhouse and dam, if any, are in one county, then the balance shall be distributed to the county in which the facilities are located.

The provisions of this section shall not apply to the distribution of taxes collected under RCW 54.28.025.

Sec. 23. Section 7, chapter 366, Laws of 1977 ex. sess. as amended by section 165, chapter 151, Laws of 1979 and RCW 54.28.055 are each amended to read as follows:

(1) After computing the tax imposed by RCW 54.28.025(1), the department of revenue shall instruct the state treasurer to distribute the amount collected as follows:

(a) Fifty percent to the state general fund for the support of schools; and
(b) Twenty-two percent to the counties, twenty-three percent to the cities, three percent to the fire protection districts, and two percent to the library districts.

(2) Each county, city, fire protection district and library district shall receive a percentage of the amount for distribution to counties, cities, fire protection districts and library districts, respectively, in the proportion that the population of such district residing within the impacted area bears to the total population of all such districts residing within the impacted area.

(3) If any distribution pursuant to subsection (1)(b) of this section cannot be made, then that share shall be prorated among the state and remaining local districts.

(4) All distributions directed by this section to be made on the basis of population shall be calculated in accordance with data to be provided by the office of financial management.

Sec. 24. Section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 12, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.210 are each amended to read as follows:

(1) There is hereby imposed upon all wines sold to wine wholesalers and the Washington state liquor control board, within the state a tax at the rate of twenty and one-fourth cents per liter: PROVIDED, HOWEVER, That wine sold or shipped in bulk from one winery to another winery shall not be subject to such tax. The tax ((~~herein~~)) provided for in this section may, if so prescribed by the board, be collected by means of stamps to be furnished by the board, or by direct payments based on wine purchased by wine wholesalers. Every person purchasing wine under the provisions of this section shall on or before the twentieth day of each month report to the board all purchases during the preceding calendar month in such manner and upon such forms as may be prescribed by the board, and with such report shall pay the tax due from the purchases covered by such report unless the same has previously been paid. Any such purchaser of wine whose applicable tax payment is not postmarked by the twentieth day following the month of purchase will be assessed a penalty at the rate of two percent a month or fraction thereof. If this tax be collected by means of stamps, every such person shall procure from the board revenue stamps representing the tax in such form as the board shall prescribe and shall affix the same to the package or container in such manner and in such denomination as required by the board and shall cancel the same prior to the delivery of the package or container containing the wine to the purchaser. If the tax is not collected by means of stamps, the board may require that every such person shall execute to and file with the board a bond to be approved by the board, in such amount as the board may fix, securing the payment of the tax. If any such person fails to pay the tax when due, the board may forthwith suspend or cancel the license until all taxes are paid.

(2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there is imposed an additional tax in the amount of ten percent of the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

Sec. 25. Section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 16, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.290 are each amended to read as follows:

(1) Any brewer or beer wholesaler licensed under this title may sell and deliver beer to holders of authorized licenses direct, but to no other person, other than the board; and every such brewer or beer wholesaler shall report all sales to the board monthly, pursuant to the regulations, and shall pay to the board as an added tax for the privilege of manufacturing and selling the beer within the state a tax of two dollars and sixty cents per barrel of thirty-one gallons on sales to licensees within the state and on sales to licensees within the state of bottled and canned beer shall pay a tax computed in gallons at the rate of two dollars and sixty cents per barrel of thirty-one gallons. Any brewer or beer wholesaler whose applicable tax payment is not postmarked by the twentieth day following the month of sale will be assessed a penalty at the rate of two percent per month or fraction thereof. Each such brewer or wholesaler shall procure from the board revenue stamps representing such tax in form prescribed by the board and shall affix the same to the barrel or package in such manner and in such denominations as required by the board, and shall cancel the same prior to commencing delivery from his place of business or warehouse of such barrels or packages. Beer shall be sold by brewers and wholesalers in sealed barrels or packages. The revenue stamps herein provided for need not be affixed and canceled in the making of resales of barrels or packages already taxed by the affixation and cancellation of stamps as provided in this section.

(2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there is imposed an additional tax in the amount of ten percent of the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

(3) The ((above)) tax imposed under this section shall not apply to "strong beer" as defined in this title.

Sec. 26. Section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 1, chapter 148, Laws of 1981 and RCW 84.33.071 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 imposed 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, 1974 and June 30, 1983, inclusive, the stumpage value of timber harvested for sale or for commercial or industrial use multiplied by six and one-half percent((:)); plus

(b) For timber harvested between April 1, 1982, and June 30, 1983, inclusive, ten percent of the tax payable under (a) of this subsection. To facilitate collection of this additional tax, the department of revenue is authorized to adjust the total tax rate under this section to the nearest one-tenth of one percent, adjusting one-hundredths equal to or greater than five one-hundredths to the greater tenth.

(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) 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. Each year on or before December 31 for use the following January through June 30, and on or before June 30 for use the following July through December 31, 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, blow down, 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 ways and means committees of the house and senate 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 the sixtieth day after the date of final adoption of any stumpage value tables, 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 account A and a state timber tax reserve account in the state general fund and any interest earned on the investment of cash balances shall be deposited in these accounts. The revenues from the tax imposed by subsection (1)(a) of this section shall be deposited in state timber tax account A and state timber tax reserve account as follows:

YEAR OF COLLECTION	ACCOUNT A	RESERVE ACCOUNT
1973 and thereafter	100%	0%

The revenues from the tax imposed by subsection (1)(b) of this section shall be deposited in the state general fund.

(6) 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 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.

(7) 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.

(8) 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.

NEW SECTION. Sec. 27. (1) If the actual revenues, including penalties and interest collected under chapter 82.32 RCW upon taxes imposed under the chapters enumerated in this section, as:

(a) Collected under chapters 82.04, 82.08, 82.12, 82.16, and 82.26 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through August 10, 1982; and

(b) Collected under RCW 28A.47.440, and chapters 82.24 and 82.45 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through July 31, 1982;

equal or exceed two billion four hundred seventeen million two hundred thousand dollars, or are less than or equal to two billion three hundred thirty-seven million two hundred thousand dollars, then the rates for those additional taxes imposed by this act, except for the additional tax imposed by section 12 of this act, shall be uniformly adjusted either downward or upward to generate five billion three hundred fifty-four million one hundred thousand dollars in revenues from taxes, imposed under the chapters enumerated in this subsection and under RCW 28A.47.440, for the entire biennium beginning July 1, 1981.

(2) The effective date of the adjustments under subsection (1) of this section shall be as follows:

(a) For taxes imposed under sections 10, 11, 20, and 26 of this act, the date shall be October 1, 1982.

(b) For all other taxes imposed under this act except the tax imposed under section 12 of this act, the date shall be September 1, 1982.

(3) If the actual revenues, including penalties and interest collected under chapter 82.32 RCW upon taxes imposed under the chapters enumerated in this section, as:

(a) Collected under chapters 82.04, 82.08, 82.12, 82.16, and 82.26 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through November 10, 1982; and

(b) Collected under RCW 28A.47.440, and chapters 82.24 and 82.45 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through October 31, 1982;

equal or exceed three billion one hundred seventy-seven million four hundred thousand dollars, or are less than or equal to three billion seventy-seven million four hundred thousand dollars, then the rates for those additional taxes imposed by this

act, except for the additional tax imposed by section 12 of this act, shall be uniformly adjusted either downward or upward to generate five billion three hundred fifty-four million one hundred thousand dollars in revenues from taxes, imposed under the chapters enumerated in this subsection and under RCW 28A.47.440, for the entire biennium beginning July 1, 1981.

(4) The effective date of the adjustments under subsection (3) of this section shall be as follows:

(a) For taxes imposed under sections 10, 11, 20, and 26 of this act, the date shall be January 1, 1983.

(b) For all other taxes imposed under this act except the tax imposed under section 12 of this act, the date shall be December 1, 1982.

(5) The department of revenue may adopt rules to implement this act. The department and the insurance commissioner shall adjust the tax rates in accordance with this section, and for purposes of facilitating the collection of the adjustments of additional tax shall adjust the rates of each tax imposed under sections 2, 8, and 26 of this act to the nearest decimal or percentage in the manner provided for each such tax by this act.

NEW SECTION. Sec. 28. 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. 29. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except as follows:

(1) Sections 1, 5, 6, 11, 19 through 23, and 26 of this act shall take effect April 1, 1982;

(2) Sections 2, 3, 4, 7, 8, 9, 15, 24, and 25 of this act shall take effect May 1, 1982; and

(3) Sections 16, 17, and 18 of this act shall take effect on April 1, 1982, only if Engrossed Senate Bill No. 4578 is not enacted into law by May 1, 1982. If that bill is so enacted, sections 16, 17, and 18 of this act shall not take effect.

Each section of this act having an effective date specified in this act shall take effect on that date, notwithstanding the date this act, or any part thereof, becomes law under Article III, section 12 of the state Constitution."

On motion of Senator Scott, the following amendment to the amendment was adopted:

On page 28, after line 32, insert the following:

"Sec. 28. Section 82.32.045, chapter 7, Laws of 1981 as amended by section 7, chapter 172, Laws of 1981 and RCW 82.32.045 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, payments of the taxes imposed under chapters 82.04, 82.08, 82.12, 82.14, and 82.16 RCW, along with reports and returns on forms prescribed by the department, are due monthly within the number of days specified in the following table after the end of the month in which the taxable activities occur.

For activities occurring in	Days
October, 1981 through March, 1982	25
April, 1982 through March, 1983	20
April, 1983 and thereafter	15

(2) Any taxpayer required to make monthly returns and payments pursuant to this section may elect to remit each month, on such forms as the department of revenue shall in its discretion prescribe, an estimate of the tax to be due for each month on or before the due date of the month next succeeding the end of the monthly period in which the tax accrued, and a separate quarterly return to the department on or before the last day of the month next succeeding the end of each quarter of

every year and shall remit therewith the balance of the actual tax due for the period of the report: PROVIDED, That every person who shall elect to remit a monthly "estimate of the tax to be due" as hereinabove described shall remit in the same month in which the estimate is due that amount which is the greater of (i) one-third of the tax due during the corresponding quarter in the previous year or, (ii) ninety percent of the tax actually collected or owing for the month immediately preceding the month for which remittance is made.

(3) The department of revenue may relieve any taxpayer or class of taxpayers from the obligation of remitting monthly and may require the return to cover other longer reporting periods, but in no event may returns be filed for a period greater than one year. For these taxpayers, tax payments are due on or before the last day of the month next succeeding the end of the period covered by the return.

(4) The department of revenue may also require verified annual returns from any taxpayer, setting forth such additional information as it may deem necessary to correctly determine tax liability."

Renumber the sections consecutively and correct all internal references accordingly.

Senator Clarke demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senator Scott as amended by Senator Scott.

Debate ensued.

POINT OF INQUIRY

Senator Sellar: "Senator Bottiger, does this tax have a time certain for it to expire?"

Senator Bottiger: "A sunset, Senator, yes. It expires at the end of the biennium."

Senator Sellar: "Thank you, Senator Bottiger."

Further debate ensued.

ROLL CALL

The Secretary called the roll and the amendment, as amended, was not adopted by the following vote: Yeas, 15; nays, 33; excused, 1.

Voting yea: Senators Bauer, Bluechel, Bottiger, Charnley, Conner, Hayner, Jones, Kiskaddon, Metcalf, Moore, Scott, Sellar, Shinpoch, Wilson, Wojahn—15.

Voting nay: Senators Benitz, Clarke, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hemstad, Hughes, Hurley, Lee, Lysen, McCaslin, McDermott, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Talmadge, Vognild, von Reichbauer, Williams, Woody, Zimmerman—33.

Excused: Senator Talley—1.

On motion of Senator Clarke, the rules were suspended, Engrossed Senate Bill No. 4372 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. 4372, and the bill failed to pass the Senate on reconsideration, by the following vote: Yeas, 21; nays, 27; excused, 1.

Voting yea: Senators Benitz, Bluechel, Clarke, Deccio, Fuller, Gallagher, Gould, Guess, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, Metcalf, Newhouse, Patterson, Quigg, Scott, Sellar, Zimmerman—21.

Voting nay: Senators Bauer, Bottiger, Charnley, Conner, Craswell, Fleming, Gaspard, Goltz, Haley, Hughes, Hurley, Lysen, McCaslin, McDermott, Moore, Peterson, Pullen, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody—27.

Excused: Senator Talley—1.

ENGROSSED SENATE BILL NO. 4372, having failed to receive the constitutional majority, on reconsideration, was declared lost.

MOTION

At 8:45 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 10:45 p.m.

MOTION

At 10:45 p.m., on motion of Senator Clarke, the Senate adjourned until 10:00 a.m., Thursday, April 8, 1982.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-EIGHTH DAY

MORNING SESSION

Senate Chamber, Olympia, Thursday, April 8, 1982.

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 Charnley, Rasmussen and Talley. There being no objection, Senators Charnley, Rasmussen and Talley were excused.

The Color Guard, consisting of Pages Lynn Cooley and Joe Vozenilek, presented the Colors. Reverend Charles Loyer, former pastor of Westminster United Presbyterian Church of Olympia, offered the prayer.

Reverend Loyer is now retired.

MOTION

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

MESSAGE FROM THE HOUSE

April 7, 1982.

Mr. President: The House insists on its position on the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3783 and asks the Senate for a conference thereon. The Speaker has appointed Representatives: Greengo, Amen and Eng.

PATRICIA M. WILLIAMS, Chief Clerk.

MOTION

On motion of Senator Newhouse, the request of the House for a conference on Engrossed Substitute Senate Bill No. 3783 and the House amendments thereto was granted.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Substitute Senate Bill No. 3783 and the House amendments thereto: Senators Craswell, Ridder and Newhouse.

MOTION

On motion of Senator Clarke, the Conference Committee appointments were confirmed.

MOTIONS

On motion of Senator Clarke, the Senate advanced to the eighth order of business.

On motion of Senator Clarke, the Committee on Ways and Means was relieved from further consideration of Second Substitute House Bill No. 906.

On motion of Senator Clarke, the rules were suspended, Second Substitute House Bill No. 906 was placed on the second reading calendar for today.

At 10:23 a.m., on motion of Senator Clarke, the Senate was declared to be at ease until 11:40 a.m.

The President called the Senate to order at 11:40 a.m.

On motion of Senator Clarke, the Senate returned to the sixth order of business.

On motion of Senator Clarke, the Senate commenced consideration of Second Substitute House Bill No. 906.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 906, by Committee on Ways and Means (originally sponsored by Representatives Chamberlain, Owen, Sanders and others):

Creating community economic revitalization board.

The bill was read the second time by sections.

On motion of Senator Scott, the following amendments were considered and adopted simultaneously:

On page 1, line 11, strike "provision of tax incentives for investment projects and"

On page 2, line 3 strike "(1)"

On page 2, after line 4, strike all of the material down to and including "board." on page 3, line 9

On page 5, after line 17, strike all the material down to and including "located." on line 24

On page 7, after line 22, strike all the material down to and including "chapter." on page 9, line 15.

Renumber the remaining sections consecutively and correct any internal references accordingly.

On motion of Senator Scott, the rules were suspended, Second Substitute House Bill No. 906, as amended by the Senate, was advanced to the 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 Second Substitute House Bill No. 906, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Clarke, Conner, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, Lysen, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Ridder, Scott, Sellar, Shipoch, Talmadge, Vognil, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—43.

Voting nay: Senators Craswell, Hughes, McCaslin—3.

Excused: Senators Charnley, Rasmussen, Talley—3.

SECOND SUBSTITUTE HOUSE BILL NO. 906, 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 Sellar, Second Substitute House Bill No. 906, as amended by the Senate, was ordered immediately transmitted to the House.

On motion of Senator Clarke, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

April 4, 1982.

Mr. President: The House has passed: ENGROSSED SUBSTITUTE HOUSE BILL NO. 312, and the same is herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 312, by Committee on Revenue (originally sponsored by Committee on Revenue and Representative Greengo):

Prohibiting municipal corporations from imposing certain development fees, taxes, and charges.

MOTION

On motion of Senator Clarke, the rules were suspended, Engrossed Substitute House Bill No. 312 was advanced to second reading.

MOTIONS

On motion of Senator Clarke, the Senate advanced to the eighth order of business.

On motion of Senator Clarke, the Committee on Rules was relieved from further consideration of House Bill No. 1014.

On motion of Senator Clarke, the rules were suspended, House Bill No. 1014 was placed on the second reading calendar.

At 11:58 a.m., on motion of Senator Clarke, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:15 p.m.

MOTIONS

On motion of Senator Clarke, the Senate returned to the sixth order of business.

On motion of Senator Clarke, the Senate commenced consideration of Senate Bill No. 4250.

SECOND READING

SENATE BILL NO. 4250, by Senator Lee:

Relating to revenue and taxation.

The bill was read the second time by sections.

Senator Scott moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 324, Laws of 1977 ex. sess. and RCW 82.04.2901 are each amended to read as follows:

From and after the first day of (~~June, 1976~~) April, 1982, until and including the thirtieth day of June, (~~1979~~) 1983, there is levied and shall be collected from every person for the act or privilege of engaging in business activities, as a part of the tax imposed by the provisions of RCW 82.04.220 through 82.04.290, inclusive, an additional tax in the amount of (~~six~~) ten percent of the tax payable under the provisions of RCW 82.04.220 through 82.04.290, inclusive. To facilitate collection of

this additional tax, the department of revenue is authorized to adjust the basic rates of persons to which this section applies in such manner as to reflect the amount to the nearest one-thousandth of one percent of the additional tax hereby imposed, adjusting ten-thousandths equal to or greater than five ten-thousandths to the greater thousandth.

Sec. 2. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 8, Laws of 1981 2nd ex. sess. and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to four and one-half percent of the selling price: PROVIDED, That from and after the first day of December, 1981, until and including the thirtieth day of June, 1983, such tax shall be levied and collected in an amount equal to five and five-tenths percent of the selling price: PROVIDED FURTHER, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the taxes payable under this section. To facilitate collection of this additional tax, the department of revenue may adjust the rate of the additional tax to the next highest one-tenth of one percent if the additional tax is five one-hundredths of one percent or more, or to the next lowest one-tenth of one percent if the additional tax is less than five one-hundredths of one percent.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate, including any additional tax rate, provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 3. Section 82.08.150, chapter 15, Laws of 1961 as last amended by section 25, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected a tax upon each retail sale of spirits, or strong beer in the original package at the rate of fifteen percent of the selling price. The tax imposed in this subsection shall apply to all such sales including sales by the Washington state liquor stores and agencies, but excluding sales to class H licensees.

(2) There is levied and shall be collected a tax upon each sale of spirits, or strong beer in the original package at the rate of ten percent of the selling price on sales by Washington state liquor stores and agencies to class H licensees.

(3) There is levied and shall be collected an additional tax upon each retail sale of spirits in the original package at the rate of one dollar and seventy-two cents per liter. The additional tax imposed in this subsection shall apply to all such sales including sales by Washington state liquor stores and agencies, and including sales to class H licensees.

(4) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there is imposed an additional tax in the amount of ten percent of the taxes payable under subsections (1), (2), and (3) of this section.

(5) The tax imposed in RCW 82.08.020, as now or hereafter amended, shall not apply to sales of spirits or strong beer in the original package.

~~((6))~~ (6) The taxes imposed in this section shall be paid by the buyer to the seller, and each seller shall collect from the buyer the full amount of the tax payable in respect to each taxable sale under this section. The taxes required by this section to be collected by the seller shall be stated separately from the selling price and for purposes of determining the tax due from the buyer to the seller, it shall be conclusively presumed that the selling price quoted in any price list does not include the taxes imposed by this section.

~~((7))~~ (7) As used in this section, the terms, "spirits," "strong beer," and "package" shall have the meaning ascribed to them in chapter 66.04 RCW.

Sec. 4. Section 82.08.160, chapter 15, Laws of 1961 as last amended by section 26, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.160 are each amended to read as follows:

On or before the twenty-fifth day of each month, all taxes collected under RCW 82.08.150 during the preceding month shall be remitted to the state department of revenue, to be deposited with the state treasurer. Upon receipt of such moneys the state treasurer shall credit sixty-five percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) and one hundred percent of the sums collected and remitted under RCW 82.08.150 (3) and (4) to the state general fund and thirty-five percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) to a fund which is hereby created to be known as the "liquor excise tax fund."

Sec. 5. Section 82.16.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 299, Laws of 1971 ex. sess. and RCW 82.16.020 are each amended to read as follows:

(1) There is levied and there shall be collected from every person a tax for the act or privilege of engaging within this state in any one or more of the businesses herein mentioned. The tax shall be equal to the gross income of the business, multiplied by the rate set out after the business, as follows:

~~((1))~~ (a) Railroad, express, railroad car, water distribution, light and power, telephone and telegraph businesses: Three and six-tenths percent;

~~((2))~~ (b) Gas distribution business: Three percent;

~~((3))~~ (c) Urban transportation business: Six-tenths of one percent;

~~((4))~~ (d) Vessels under sixty-five feet in length, except tugboats, operating upon the waters within the state: Six-tenths of one percent;

~~((5))~~ (e) Motor transportation and tugboat businesses, and all public service businesses other than ones mentioned above: One and eight-tenths of one percent.

(2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the tax payable under subsection (1) of this section.

Sec. 6. Section 82.16.030, chapter 15, Laws of 1961 and RCW 82.16.030 are each amended to read as follows:

Every person engaging in businesses which are within the purview of two or more of schedules ~~((1), (2), (3), (4) and (5))~~ (a), (b), (c), (d), and (e) of RCW 82.16.020(1), shall be taxable under each schedule applicable to the businesses engaged in.

Sec. 7. Section 82.20.010, chapter 15, Laws of 1961 and RCW 82.20.010 are each amended to read as follows:

There is levied and there shall be collected a tax upon conveyances as follows: On any deed, instrument, or writing (unless deposited in escrow before May 1, 1935), whereby any lands, tenements, or other realty sold shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser, or any other person by his direction, when the consideration or value of the interest or property conveyed, exclusive of the value of any lien or encumbrance remaining thereon at the time of sale, exceeds one hundred dollars and does not exceed five hundred dollars or fractional part thereof, fifty cents; and for each additional five hundred dollars or fractional part thereof, fifty cents: PROVIDED, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the tax payable under this section. This section shall not apply to any instrument or writing, given to secure a debt, nor to any conveyance to the state.

Sec. 8. Section 82.24.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 172, Laws of 1981 and RCW 82.24.020 are each amended to read as follows:

There is levied and there shall be collected as hereinafter provided, a tax upon the sale, use, consumption, handling, possession or distribution of all cigarettes, in an amount equal to the rate of eight and one-half mills per cigarette: PROVIDED, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the tax payable under this section: PROVIDED FURTHER, That to facilitate collection of this additional tax, the department of revenue may adjust the rate of the additional tax to the next highest mill. For purposes of this chapter and RCW 28A.47.440, "possession" shall mean both (1) physical possession by the purchaser and, (2) when cigarettes are being transported to or held for the purchaser or his designee by a person other than the purchaser, constructive possession by the purchaser or his designee, which constructive possession shall be deemed to occur at the location of the cigarettes being so transported or held.

Sec. 9. Section 82.26.020, chapter 15, Laws of 1961 as last amended by section 71, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.26.020 are each amended to read as follows:

(1) From and after June 1, 1971, there is levied and there shall be collected a tax upon the sale, use, consumption, handling, or distribution of all tobacco products in this state at the rate of forty-five percent of the wholesale sales price of such tobacco products: PROVIDED, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the tax payable under this subsection. Such tax shall be imposed at the time the distributor (a) brings, or causes to be brought, into this state from without the state tobacco products for sale, (b) makes, manufactures, or fabricates tobacco products in this state for sale in this state, or (c) ships or transports tobacco products to retailers in this state, to be sold by those retailers.

(2) A floor stocks tax is hereby imposed upon every distributor of tobacco products at the rate of twenty-five percent of the wholesale sales price of each tobacco product in his possession or under his control on July 1, 1959.

Each distributor, within twenty days after July 1, 1959 shall file a report with the department, in such form as the department may prescribe, showing the tobacco products on hand on July 1, 1959 and the amount of tax due thereon.

The tax imposed by this subdivision shall be due and payable within twenty days after July 1, 1959 and thereafter shall bear interest at the rate of one percent per month.

Sec. 10. Section 2, chapter 98, Laws of 1980 and RCW 82.27.020 are each amended to read as follows:

(1) In addition to all other taxes, licenses, or fees provided by law there is established an excise tax on the possession of food fish and shellfish for commercial purposes as provided in this chapter. The tax is levied upon and shall be collected from the owner of the food fish or shellfish whose possession constitutes the taxable event. The taxable event is the first possession by an owner after the food fish or shellfish have been landed. Processing and handling of food fish and shellfish by a person who is not the owner is not a taxable event to the processor or handler.

(2) A person in possession of food fish and shellfish and liable to this tax may deduct from the price paid to the person from which such food fish or shellfish (except oysters) are purchased an amount equal to a tax at one-half the rate levied in this section upon these products.

(3) The measure of the tax is the price paid by the first person in possession of the food fish or shellfish. If the food fish or shellfish are acquired other than by purchase or are purchased under conditions where the purchase price does not represent the value of the food fish or shellfish or these products are transferred outside the state without sale, the measure of the tax shall be determined as nearly as possible

according to the selling price of similar products of like quality and character under rules adopted by the department of revenue.

(4) The tax shall be equal to the measure of the tax multiplied by the rates for food fish and shellfish as follows:

- (a) Chinook, coho, and chum salmon: Five percent.
- (b) Pink and sockeye salmon: Three percent.
- (c) Other food fish and shellfish, except oysters: Two percent.
- (d) Oysters: Seven one-hundredths of one percent.

(5) From and after the first day of July, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the tax payable under subsection (4) of this section.

Sec. 11. Section 3, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 82.29A.030 are each amended to read as follows:

There is hereby levied and shall be collected a leasehold excise tax on the act or privilege of occupying or using publicly owned real or personal property through a leasehold interest on and after January 1, 1976, at a rate of twelve percent of taxable rent: PROVIDED, That from and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there shall be levied and collected an additional tax in the amount of ten percent of the tax payable under this section: PROVIDED FURTHER, That after the computation of the tax there shall be allowed credit for any tax collected pursuant to RCW 82.29A.040.

Sec. 12. Section 82.44.020, chapter 15, Laws of 1961 as last amended by section 10, chapter 222, Laws of 1981 and RCW 82.44.020 are each amended to read as follows:

(1) An excise tax is imposed for the privilege of using in the state any motor vehicle, except those operated under reciprocal agreements, the provisions of RCW 46.16.160 as now or hereafter amended, or dealer's licenses. The annual amount of such excise tax shall be two percent of the fair market value of such vehicle.

(2) From and after August 1, 1978, and until August 1, 2008, an additional excise tax is imposed, in addition to any other tax imposed by this section, for the privilege of using in the state any such motor vehicle, and the annual amount of such additional excise shall be two-tenths of one percent of the fair market value of such vehicle.

(3) The department of licensing and county auditors shall collect the additional tax imposed by subsection (2) of this section for any registration year for the months of that registration year in which such additional tax is effective, and in the same manner and at the same time as the tax imposed by subsection (1) of this section.

(4) In no case shall the total tax be less than two dollars except for proportionally registered vehicles.

(5) From and after the first day of July, 1982, until and including the thirtieth day of June, 1983, a surtax is imposed, in addition to the taxes imposed by subsections (1) and (2) of this section, for the privilege of using in the state any such motor vehicle. The annual amount of such surtax shall be ten percent of the taxes payable under subsections (1) and (2) of this section.

Sec. 13. Section 82.44.110, chapter 15, Laws of 1961 as last amended by section 235, chapter 158, Laws of 1979 and RCW 82.44.110 are each amended to read as follows:

The county auditor shall regularly, when remitting license fee receipts, pay over and account to the director of licensing for the excise taxes collected under the provisions of this chapter. The director shall forthwith transmit the excise taxes to the state treasurer, ninety-eight percent of which excise tax revenue shall upon receipt thereof be credited by the state treasurer to the general fund, and two percent of which excise tax revenue shall be credited by the state treasurer to the motor vehicle fund to defray administrative and other expenses incurred by the state department

of licensing in the collection of the excise tax: PROVIDED, That one hundred percent of the proceeds of the additional two-tenths of one percent excise tax imposed by RCW 82.44.020(2), as now or hereafter amended, shall be credited by the state treasurer to the Puget Sound capital construction account in the motor vehicle fund: PROVIDED FURTHER, That all revenues collected under RCW 82.44.020(5) shall be credited by the state treasurer to the general fund.

Sec. 14. Section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 4, chapter 175, Laws of 1979 ex. sess. and RCW 82.44.150 are each amended to read as follows:

(1) The director of licensing shall on the twenty-fifth day of February, May, August and November of each year, commencing with November, 1971, advise the state treasurer of the total amount of motor vehicle excise taxes remitted to the department of licensing during the preceding calendar quarter ending on the last day of March, June, September and December, respectively, except for those payable under RCW 82.44.020(5), 82.44.030 and 82.44.070, from motor vehicle owners residing within each municipality which has levied a tax under RCW 35.58.273, which amount of excise taxes shall be determined by the director as follows:

The total amount of motor vehicle excise taxes remitted to the department, except those payable under RCW 82.44.020(5), 82.44.030 and 82.44.070, from each county shall be multiplied by a fraction, the numerator of which is the population of the municipality residing in such county, and the denominator of which is the total population of the county in which such municipality or portion thereof is located. The product of this computation shall be the amount of excise taxes from motor vehicle owners residing within such municipality or portion thereof. Where the municipality levying a tax under RCW 35.58.273 is located in more than one county, the above computation shall be made by county, and the combined products shall provide the total amount of motor vehicle excise taxes from motor vehicle owners residing in the municipality as a whole. Population figures required for these computations shall be supplied to the director by the office of financial management, who shall adjust the fraction annually.

(2) On the first day of the months of January, April, July, and October of each year, the state treasurer based upon information provided by the department of licensing shall make the following apportionment and distribution of motor vehicle excise taxes deposited in the general fund except taxes collected under RCW 82.44.020(5). A sum equal to seventeen percent thereof shall be paid to cities and towns in the proportions and for the purposes hereinafter set forth; a sum equal to seventy percent of all motor vehicle excise tax receipts, except taxes collected under RCW 82.44.020(5), shall be allocable to the state school equalization fund and credited and transferred each year in the following order of priority:

(a) The amount required and certified by the state finance committee each year as being necessary for payment of principal of and interest on bonds authorized by ~~((chapter 26, Laws of 1963 extraordinary session))~~ RCW 28A.47.760 through 28A.47.774 in the ensuing twelve months and any additional amounts required by the covenants of such bonds shall be transferred from the state school equalization fund to the 1963 public school building bond retirement fund.

(b) Any remaining amounts in the state school equalization fund from the motor vehicle excise taxes not required for debt service on the above bond issues shall be transferred and credited to the general fund.

(3) The amount payable to cities and towns shall be apportioned among the several cities and towns within the state ratably, on the basis of the population as last determined by the office of financial management.

(4) When so apportioned, the amount payable to each such city and town shall be transmitted to the city treasurer thereof, and shall be utilized by such city or town for the purposes of police and fire protection and the preservation of the public

health therein, and not otherwise. In case it be adjudged that revenue derived from the excise tax imposed by this chapter cannot lawfully be apportioned or distributed to cities or towns, all moneys directed by this section to be apportioned and distributed to cities and towns shall be credited and transferred to the state general fund.

(5) On the first day of the months of January, April, July, and October of each year, the state treasurer, based upon information provided by the department of licensing, shall remit motor vehicle excise tax revenues imposed and collected under RCW 35.58.273 as follows:

(a) The amount required to be remitted by the state treasurer to the treasurer of any municipality levying the tax shall not exceed in any calendar year the amount of locally-generated tax revenues, excluding the excise tax imposed under RCW 35.58.273 for the purposes of this section, which shall have been budgeted by the municipality to be collected in such calendar year for any public transportation purposes including but not limited to operating costs, capital costs, and debt service on general obligation or revenue bonds issued for these purposes; and

(b) In no event may the amount remitted in a single calendar quarter exceed the amount collected on behalf of the municipality under RCW 35.58.273 during the calendar quarter next preceding the immediately preceding quarter.

(6) At the close of each calendar year accounting period, but not later than April 1, each municipality that has received motor vehicle excise taxes under subsection (5) of this section shall transmit to the director of licensing and the state auditor a written report showing by source the previous year's budgeted tax revenues for public transportation purposes as compared to actual collections. Any municipality that has not submitted the report by April 1 shall cease to be eligible to receive motor vehicle excise taxes under subsection (5) of this section until the report is received by the director of licensing. If a municipality has received more or less money under subsection (5) of this section for the period covered by the report than it is entitled to receive by reason of its locally-generated collected tax revenues, the director of licensing shall, during the next ensuing quarter that the municipality is eligible to receive motor vehicle excise tax funds, increase or decrease the amount to be remitted in an amount equal to the difference between the locally-generated budgeted tax revenues and the locally-generated collected tax revenues. In no event may the amount remitted for a calendar year exceed the amount collected on behalf of the municipality under RCW 35.58.273 during that same calendar year. At the time of the next fiscal audit of each municipality, the state auditor shall verify the accuracy of the report submitted and notify the director of licensing of any discrepancies.

(7) The motor vehicle excise taxes imposed under RCW 35.58.273 and required to be remitted under this section shall be remitted without legislative appropriation.

(8) Any municipality levying and collecting a tax under RCW 35.58.273 which does not have an operating, public transit system or a contract for public transportation services in effect within one year from the initial effective date of the tax shall return to the state treasurer all motor vehicle excise taxes received under subsection (5) of this section.

Sec. 15. Section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 154, Laws of 1980 and RCW 82.45.060 are each amended to read as follows:

There is imposed an excise tax upon each sale of real property at the rate of one percent of the selling price: PROVIDED, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax shall be imposed in the amount of ten percent of the tax payable under this section.

Sec. 16. Section .14.02, chapter 79, Laws of 1947 as last amended by section 2, chapter 233, Laws of 1979 ex. sess. and RCW 48.14.020 are each amended to read as follows:

(1) Subject to other provisions of this chapter, each authorized insurer except title insurers shall on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax on premiums. Except as provided in subsection (2) of this section, such tax shall be in the amount of two percent of all premiums, excluding amounts returned to or the amount of reductions in premiums allowed to holders of industrial life policies for payment of premiums directly to an office of the insurer, collected or received by the insurer during the preceding calendar year in the case of foreign and alien insurers, and in the amount of one percent of all such premiums in the case of domestic insurers, for direct insurances, other than ocean marine and foreign trade insurances, after deducting premiums paid to policyholders as returned premiums, upon risks or property resident, situated, or to be performed in this state. For the purposes of this section the consideration received by an insurer for the granting of an annuity shall not be deemed to be a premium.

(2) In the case of insurers which require the payment by their policyholders at the inception of their policies of the entire premium thereon in the form of premiums or premium deposits which are the same in amount, based on the character of the risks, regardless of the length of term for which such policies are written, such tax shall be in the amount of two percent of the gross amount of such premiums and premium deposits upon policies on risks resident, located, or to be performed in this state, in force as of the thirty-first day of December next preceding, less the unused or unabsorbed portion of such premiums and premium deposits computed at the average rate thereof actually paid or credited to policyholders or applied in part payment of any renewal premiums or premium deposits on one-year policies expiring during such year.

(3) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed in the amount of ten percent of each tax payable under subsections (1) and (2) of this section. All revenues from this additional tax shall be deposited in the state general fund.

(4) Each authorized insurer shall with respect to all ocean marine and foreign trade insurance contracts written within this state during the preceding calendar year, on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax of three-quarters of one percent on its gross underwriting profit. Such gross underwriting profit shall be ascertained by deducting from the net premiums (i.e., gross premiums less all return premiums and premiums for reinsurance) on such ocean marine and foreign trade insurance contracts the net losses paid (i.e., gross losses paid less salvage and recoveries on reinsurance ceded) during such calendar year under such contracts. In the case of insurers issuing participating contracts, such gross underwriting profit shall not include, for computation of the tax prescribed by this subsection, the amounts refunded, or paid as participation dividends, by such insurers to the holders of such contracts.

~~((4))~~ (5) The state does hereby preempt the field of imposing excise or privilege taxes upon insurers or their agents, other than title insurers, and no county, city, town or other municipal subdivision shall have the right to impose any such taxes upon such insurers or their agents.

~~((5))~~ (6) If an authorized insurer collects or receives any such premiums on account of policies in force in this state which were originally issued by another insurer and which other insurer is not authorized to transact insurance in this state on its own account, such collecting insurer shall be liable for and shall pay the tax on such premiums.

~~((6))~~ (7) This section shall be effective as to and shall govern the payment of all taxes falling due after the effective date of this code.

Sec. 17. Section 5, chapter 91, Laws of 1947 as last amended by section 1, chapter 42, Laws of 1967 and RCW 41.16.050 are each amended to read as follows:

There is hereby created and established in the treasury of each municipality a fund which shall be known and designated as the firemen's pension fund, which shall consist of: (1) All bequests, fees, gifts, emoluments or donations given or paid thereto(;;); (2) forty-five percent of all moneys received by the state from taxes on fire insurance premiums, except any such moneys received under RCW 48.14.020(3); (3) taxes paid pursuant to the provisions of RCW 41.16.060(;;); (4) interest on the investments of the fund(;;); and (5) contributions by firemen as provided for herein. The forty-five percent of moneys received from the tax on fire insurance premiums under the provisions of this chapter shall be distributed in the proportion that the number of paid firemen in the city, town or fire protection district bears to the total number of paid firemen throughout the state to be ascertained in the following manner: The secretary of the firemen's pension board of each city, town and fire protection district now or hereafter coming under the provisions of this chapter shall within thirty days after the taking effect of this 1961 amendatory act and on or before the fifteenth day of January thereafter, certify to the state treasurer the number of paid firemen in the fire department in such city, town or fire protection district. The state treasurer shall on or before the first day of June of each year deliver to the treasurer of each city, town and fire protection district coming under the provisions of this chapter his warrant, payable to each city, town or fire protection district for the amount due such city, town or fire protection district ascertained as herein provided and the treasurer of each such city, town or fire protection district shall place the amount thereof to the credit of the firemen's pension fund of such city, town or fire protection district.

Sec. 18. Section 3, chapter 261, Laws of 1945 as last amended by section 26, chapter 3, Laws of 1981 and RCW 41.24.030 are each amended to read as follows:

There is created in the state treasury a trust fund for the benefit of the firemen of the state covered by this chapter, which shall be designated the volunteer firemen's relief and pension fund and shall consist of:

(1) All bequests, fees, gifts, emoluments, or donations given or paid to the fund.

(2) An annual fee for each member of its fire department to be paid by each municipal corporation for the purpose of affording the members of its fire department with protection from death or disability as herein provided as follows:

(a) Three dollars for each volunteer or part-paid member of its fire department;

(b) A sum equal to one-half of one percent of the annual salary attached to the rank of each full-paid member of its fire department, prorated for 1970 on the basis of services prior to March 1, 1970.

(3) Where a municipal corporation has elected to make available to the members of its fire department the retirement provisions as herein provided, an annual fee of thirty dollars for each of its firemen electing to enroll therein, ten dollars of which shall be paid by the municipality and twenty dollars of which shall be paid by the fireman.

(4) Forty percent of all moneys received by the state from ~~((its))~~ taxes on fire insurance premiums, except any such moneys received under RCW 48.14.020(3), shall be paid into the state treasury and credited to the fund.

(5) The state investment board, upon request of the state treasurer shall invest such portion of the amounts credited to the fund as is not, in the judgment of the treasurer, required to meet current withdrawals. Such investments may be made in such bonds, notes or other obligations now or hereafter authorized as an investment for the funds of the public employees' retirement system.

(6) All bonds or other obligations purchased according to ~~((subdivision))~~ sub-section (5) of this section shall be forthwith placed in the custody of the state treasurer, and he shall collect the principal thereof and interest thereon when due.

The state investment board may sell any of the bonds or obligations so acquired and the proceeds thereof shall be paid to the state treasurer.

The interest and proceeds from the sale and redemption of any bonds or other obligations held by the fund shall be credited to and form a part of the fund.

All amounts credited to the fund shall be available for making the payments required by this chapter.

The state treasurer shall make an annual report showing the condition of the fund.

Sec. 19. Section 2, chapter 278, Laws of 1957 as last amended by section 2, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.020 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district a tax for the act or privilege of engaging within this state in the business of operating works, plants or facilities for the generation, distribution and sale of electric energy. With respect to each such district, except with respect to thermal electric generating facilities taxed under RCW 54.28.025, such tax shall be the sum of the following amounts: ~~((+))~~ (a) Two percent of the gross revenues derived by the district from the sale of all electric energy which it distributes to consumers who are served by a distribution system owned by the district; ~~((2))~~ (b) five percent of the first four mills per kilowatt-hour of wholesale value of self-generated energy distributed to consumers by a district; ~~((3))~~ (c) five percent of the first four mills per kilowatt-hour of revenue obtained by the district from the sale of self-generated energy for resale.

(2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there is levied and shall be collected an additional tax in the amount of ten percent of the tax payable under subsection (1) of this section.

Sec. 20. Section 6, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.025 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district operating a thermal electric generating facility, as defined in RCW 54.28.010 as now or hereafter amended, having a design capacity of two hundred fifty thousand kilowatts or more, located on a federal reservation, which is placed in operation after September 21, 1977, a tax for the act or privilege of engaging within the state in the business of generating electricity for use or sale, equal to one and one-half percent of wholesale value of energy produced for use or sale, except energy used in the operation of component parts of the power plant and associated transmission facilities under control of the person operating the power plant.

(2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there is levied and shall be collected an additional tax in the amount of ten percent of the tax payable under subsection (1) of this section.

Sec. 21. Section 4, chapter 278, Laws of 1957 as amended by section 31, chapter 278, Laws of 1975 1st ex. sess. and RCW 54.28.040 are each amended to read as follows:

Prior to May 1st, the department of revenue shall compute the tax imposed by this chapter for the last preceding calendar year and notify the district of the amount thereof, which shall be payable on or before the following June 1st. Upon receipt of the amount of each tax imposed the department of revenue shall deposit the same with the state treasurer, who shall deposit four percent ~~((thereof))~~ of the revenues received under RCW 54.28.020(1) and 54.28.025(1) and all revenues received under RCW 54.28.020(2) and 54.28.025(2) in the general fund of the state and shall distribute the remainder in the manner hereinafter set forth. The state treasurer shall send a duplicate copy of each ~~((such letter of))~~ transmittal to the department of revenue.

Sec. 22. Section 5, chapter 278, Laws of 1957 as last amended by section 8, chapter 154, Laws of 1980 and RCW 54.28.050 are each amended to read as follows:

After computing the tax imposed by RCW 54.28.020(1), the department of revenue shall instruct the state treasurer, after placing thirty-seven and six-tenths percent in the state general fund to be dedicated for the benefit of the public schools, to distribute the balance collected under RCW 54.28.020 ((~~subsection~~)) (1)(a) to each county in proportion to the gross revenue from sales made within each county; and to distribute the balance collected under RCW 54.28.020 ((~~2~~) and (~~3~~)) (1)(b) and (c) as follows: If the entire generating facility, including reservoir, if any, is in a single county then all of the balance to the county where such generating facility is located. If any reservoir is in more than one county, then to each county in which the reservoir or any portion thereof is located a percentage equal to the percentage determined by dividing the total cost of the generating facilities, including adjacent switching facilities, into twice the cost of land and land rights acquired for any reservoir within each county, land and land rights to be defined the same as used by the federal power commission. If the powerhouse and dam, if any, in connection with such reservoir are in more than one county, the balance shall be divided sixty percent to the county in which the owning district is located and forty percent to the other county or counties or if said powerhouse and dam, if any, are owned by a joint operating agency organized under chapter 43.52 RCW, or by more than one district or are outside the county of the owning district, then to be divided equally between the counties in which such facilities are located. If all of the powerhouse and dam, if any, are in one county, then the balance shall be distributed to the county in which the facilities are located.

The provisions of this section shall not apply to the distribution of taxes collected under RCW 54.28.025.

Sec. 23. Section 7, chapter 366, Laws of 1977 ex. sess. as amended by section 165, chapter 151, Laws of 1979 and RCW 54.28.055 are each amended to read as follows:

(1) After computing the tax imposed by RCW 54.28.025(1), the department of revenue shall instruct the state treasurer to distribute the amount collected as follows:

(a) Fifty percent to the state general fund for the support of schools; and
 (b) Twenty-two percent to the counties, twenty-three percent to the cities, three percent to the fire protection districts, and two percent to the library districts.

(2) Each county, city, fire protection district and library district shall receive a percentage of the amount for distribution to counties, cities, fire protection districts and library districts, respectively, in the proportion that the population of such district residing within the impacted area bears to the total population of all such districts residing within the impacted area.

(3) If any distribution pursuant to subsection (1)(b) of this section cannot be made, then that share shall be prorated among the state and remaining local districts.

(4) All distributions directed by this section to be made on the basis of population shall be calculated in accordance with data to be provided by the office of financial management.

Sec. 24. Section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 12, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.210 are each amended to read as follows:

(1) There is hereby imposed upon all wines sold to wine wholesalers and the Washington state liquor control board, within the state a tax at the rate of twenty and one-fourth cents per liter: PROVIDED, HOWEVER, That wine sold or shipped in bulk from one winery to another winery shall not be subject to such tax.

The tax ((~~herein~~)) provided for in this section may, if so prescribed by the board, be collected by means of stamps to be furnished by the board, or by direct payments based on wine purchased by wine wholesalers. Every person purchasing wine under the provisions of this section shall on or before the twentieth day of each month report to the board all purchases during the preceding calendar month in such manner and upon such forms as may be prescribed by the board, and with such report shall pay the tax due from the purchases covered by such report unless the same has previously been paid. Any such purchaser of wine whose applicable tax payment is not postmarked by the twentieth day following the month of purchase will be assessed a penalty at the rate of two percent a month or fraction thereof. If this tax be collected by means of stamps, every such person shall procure from the board revenue stamps representing the tax in such form as the board shall prescribe and shall affix the same to the package or container in such manner and in such denomination as required by the board and shall cancel the same prior to the delivery of the package or container containing the wine to the purchaser. If the tax is not collected by means of stamps, the board may require that every such person shall execute to and file with the board a bond to be approved by the board, in such amount as the board may fix, securing the payment of the tax. If any such person fails to pay the tax when due, the board may forthwith suspend or cancel the license until all taxes are paid.

(2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there is imposed an additional tax in the amount of ten percent of the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

Sec. 25. Section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 16, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.290 are each amended to read as follows:

(1) Any brewer or beer wholesaler licensed under this title may sell and deliver beer to holders of authorized licenses direct, but to no other person, other than the board; and every such brewer or beer wholesaler shall report all sales to the board monthly, pursuant to the regulations, and shall pay to the board as an added tax for the privilege of manufacturing and selling the beer within the state a tax of two dollars and sixty cents per barrel of thirty-one gallons on sales to licensees within the state and on sales to licensees within the state of bottled and canned beer shall pay a tax computed in gallons at the rate of two dollars and sixty cents per barrel of thirty-one gallons. Any brewer or beer wholesaler whose applicable tax payment is not postmarked by the twentieth day following the month of sale will be assessed a penalty at the rate of two percent per month or fraction thereof. Each such brewer or wholesaler shall procure from the board revenue stamps representing such tax in form prescribed by the board and shall affix the same to the barrel or package in such manner and in such denominations as required by the board, and shall cancel the same prior to commencing delivery from his place of business or warehouse of such barrels or packages. Beer shall be sold by brewers and wholesalers in sealed barrels or packages. The revenue stamps herein provided for need not be affixed and canceled in the making of resales of barrels or packages already taxed by the affixation and cancellation of stamps as provided in this section.

(2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, there is imposed an additional tax in the amount of ten percent of the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

(3) The ((~~above~~)) tax imposed under this section shall not apply to "strong beer" as defined in this title.

Sec. 26. Section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 1, chapter 148, Laws of 1981 and RCW 84.33.071 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 imposed 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, 1974 and June 30, 1983, inclusive, the stumpage value of timber harvested for sale or for commercial or industrial use multiplied by six and one-half percent((:)); plus

(b) For timber harvested between April 1, 1982, and June 30, 1983, inclusive, ten percent of the tax payable under (a) of this subsection. To facilitate collection of this additional tax, the department of revenue is authorized to adjust the total tax rate under this section to the nearest one-tenth of one percent, adjusting one-hundredths equal to or greater than five one-hundredths to the greater tenth.

(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) 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. Each year on or before December 31 for use the following January through June 30, and on or before June 30 for use the following July through December 31, 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, blow down, 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 ways and means committees of the house and senate 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 the sixtieth day after the date of final adoption of any stumpage value tables, 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 account A and a state timber tax reserve account in the state general fund and any interest earned on the investment of cash balances shall be deposited in these accounts. The revenues from the tax imposed by subsection (1)(a) of this section shall be deposited in state timber tax account A and state timber tax reserve account as follows:

YEAR OF COLLECTION	ACCOUNT A	RESERVE ACCOUNT
1973 and thereafter	100%	0%

The revenues from the tax imposed by subsection (1)(b) of this section shall be deposited in the state general fund.

(6) 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 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.

(7) 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.

(8) 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.

NEW SECTION. Sec. 27. (1) If the actual revenues, including penalties and interest collected under chapter 82.32 RCW upon taxes imposed under the chapters enumerated in this section, as:

(a) Collected under chapters 82.04, 82.08, 82.12, 82.16, and 82.26 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through August 10, 1982; and

(b) Collected under RCW 28A.47.440, and chapters 82.24 and 82.45 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through July 31, 1982;

equal or exceed two billion four hundred seventeen million two hundred thousand dollars, or are less than or equal to two billion three hundred thirty-seven million two hundred thousand dollars, then the rates for those additional taxes imposed by this act, except for the additional tax imposed by section 12 of this act, shall be uniformly adjusted either downward or upward to generate five billion three hundred

fifty-four million one hundred thousand dollars in revenues from taxes, imposed under the chapters enumerated in this subsection and under RCW 28A.47.440, for the entire biennium beginning July 1, 1981.

(2) The effective date of the adjustments under subsection (1) of this section shall be as follows:

(a) For taxes imposed under sections 10, 11, 20, and 26 of this act, the date shall be October 1, 1982.

(b) For all other taxes imposed under this act except the tax imposed under section 12 of this act, the date shall be September 1, 1982.

(3) If the actual revenues, including penalties and interest collected under chapter 82.32 RCW upon taxes imposed under the chapters enumerated in this section, as:

(a) Collected under chapters 82.04, 82.08, 82.12, 82.16, and 82.26 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through November 10, 1982; and

(b) Collected under RCW 28A.47.440, and chapters 82.24 and 82.45 RCW, as amended by this act, for credit to the biennium beginning July 1, 1981, and deposited with the state treasurer for the benefit of the general fund during the period July 1, 1981, through October 31, 1982;

equal or exceed three billion one hundred seventy-seven million four hundred thousand dollars, or are less than or equal to three billion seventy-seven million four hundred thousand dollars, then the rates for those additional taxes imposed by this act, except for the additional tax imposed by section 12 of this act, shall be uniformly adjusted either downward or upward to generate five billion three hundred fifty-four million one hundred thousand dollars in revenues from taxes, imposed under the chapters enumerated in this subsection and under RCW 28A.47.440, for the entire biennium beginning July 1, 1981.

(4) The effective date of the adjustments under subsection (3) of this section shall be as follows:

(a) For taxes imposed under sections 10, 11, 20, and 26 of this act, the date shall be January 1, 1983.

(b) For all other taxes imposed under this act except the tax imposed under section 12 of this act, the date shall be December 1, 1982.

(5) The department of revenue may adopt rules to implement this act. The department and the insurance commissioner shall adjust the tax rates in accordance with this section, and for purposes of facilitating the collection of the adjustments of additional tax shall adjust the rates of each tax imposed under sections 2, 8, and 26 of this act to the nearest decimal or percentage in the manner provided for each such tax by this act.

NEW SECTION. Sec. 28. 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. 29. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except as follows:

(1) Sections 1, 5, 6, 11, 19 through 23, and 26 of this act shall take effect April 1, 1982;

(2) Sections 2, 3, 4, 7, 8, 9, 15, 24, and 25 of this act shall take effect May 1, 1982; and

(3) Sections 16, 17, and 18 of this act shall take effect on April 1, 1982, only if Engrossed Senate Bill No. 4578 is not enacted into law by May 1, 1982. If that bill is so enacted, sections 16, 17, and 18 of this act shall not take effect.

Each section of this act having an effective date specified in this act shall take effect on that date, notwithstanding the date this act, or any part thereof, becomes law under Article III, section 12 of the state Constitution."

Senator Scott moved adoption of the following amendment to the amendment by Senator Scott:

On page 28, after line 32, insert the following:

"Sec. 28. Section 82.32.045, chapter 7, Laws of 1981 as amended by section 7, chapter 172, Laws of 1981 and RCW 82.32.045 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, payments of the taxes imposed under chapters 82.04, 82.08, 82.12, 82.14, and 82.16 RCW, along with reports and returns on forms prescribed by the department, are due monthly within the number of days specified in the following table after the end of the month in which the taxable activities occur.

For activities occurring in	Days
October, 1981 through March, 1982	25
April, 1982 through March, 1983	20
April, 1983 and thereafter	15

(2) Any taxpayer required to make monthly returns and payments pursuant to this section may elect to remit each month, on such forms as the department of revenue shall in its discretion prescribe, an estimate of the tax to be due for each month on or before the due date of the month next succeeding the end of the monthly period in which the tax accrued, and a separate quarterly return to the department on or before the last day of the month next succeeding the end of each quarter of every year and shall remit therewith the balance of the actual tax due for the period of the report: PROVIDED, That every person who shall elect to remit a monthly "estimate of the tax to be due" as hereinabove described shall remit in the same month in which the estimate is due that amount which is the greater of (i) one-third of the tax due during the corresponding quarter in the previous year or, (ii) ninety percent of the tax actually collected or owing for the month immediately preceding the month for which remittance is made.

(3) The department of revenue may relieve any taxpayer or class of taxpayers from the obligation of remitting monthly and may require the return to cover other longer reporting periods, but in no event may returns be filed for a period greater than one year. For these taxpayers, tax payments are due on or before the last day of the month next succeeding the end of the period covered by the return.

(4) The department of revenue may also require verified annual returns from any taxpayer, setting forth such additional information as it may deem necessary to correctly determine tax liability."

Remember the sections consecutively and correct all internal references accordingly.

MOTION

At 1:53 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 2:04 p.m.

At 2:05 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 2:09 p.m.

The Senate resumed consideration of Senate Bill No. 4250.

POINT OF INQUIRY

Senator Bottiger: "Senator Scott, as I read the amendment before us, it is purely permissive. It would allow a company to file an estimated return, taxpayer to file an estimated return ahead of the normal due date? Is there anything in there that I am not seeing?"

Senator Scott: "No."

The motion by Senator Scott carried and the amendment to the amendment was adopted.

The motion by Senator Scott carried and the amendment, as amended, was adopted.

Senator Scott moved adoption of the following amendment to the title:

On page 1, line 1 of the title, after "taxation;" strike the remainder of the title and insert "amending section 5, chapter 91, Laws of 1947 as last amended by section 1, chapter 42, Laws of 1967 and RCW 41.16.050; amending section 3, chapter 261, Laws of 1945 as last amended by section 26, chapter 3, Laws of 1981 and RCW 41.24.030; amending section .14.02, chapter 79, Laws of 1947 as last amended by section 2, chapter 233, Laws of 1979 ex. sess. and RCW 48.14.020; amending section 2, chapter 278, Laws of 1957 as last amended by section 2, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.020; amending section 6, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.025; amending section 4, chapter 278, Laws of 1957 as amended by section 31, chapter 278, Laws of 1975 1st ex. sess. and RCW 54.28.040; amending section 5, chapter 278, Laws of 1957 as last amended by section 8, chapter 154, Laws of 1980 and RCW 54.28.050; amending section 7, chapter 366, Laws of 1977 ex. sess. as amended by section 165, chapter 151, Laws of 1979 and RCW 54.28.055; amending section 24—A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 12, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.210; amending section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 16, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.290; amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 324, Laws of 1977 ex. sess. and RCW 82.04.2901; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 8, Laws of 1981 2nd ex. sess. and RCW 82.08.020; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 25, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.150; amending section 82.08.160, chapter 15, Laws of 1961 as last amended by section 26, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.160; amending section 82.16.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 299, Laws of 1971 ex. sess. and RCW 82.16.020; amending section 82.16.030, chapter 15, Laws of 1961 and RCW 82.16.030; amending section 82.20.010, chapter 15, Laws of 1961 and RCW 82.20.010; amending section 82.24.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 172, Laws of 1981 and RCW 82.24.020; amending section 82.26.020, chapter 15, Laws of 1961 as last amended by section 71, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.26.020; amending section 2, chapter 98, Laws of 1980 and RCW 82.27.020; amending section 3, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 82.29A.030; amending section 82.44.020, chapter 15, Laws of 1961 as last amended by section 10, chapter 222, Laws of 1981 and RCW 82.44.020; amending section 82.44.110, chapter 15, Laws of 1961 as last amended by section 235, chapter 158, Laws of 1979 and RCW 82.44.110; amending section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 4, chapter 175, Laws of 1979 ex. sess. and RCW 82.44.150; amending section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 154, Laws of 1980 and RCW 82.45.060; amending section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 1, chapter 148, Laws of 1981 and RCW 84.33.071; creating a new section; providing effective dates; and declaring an emergency."

On motion of Senator Scott, the following amendment by Senator Scott to the title amendment by Senator Scott was adopted:

On page 33, on line 28, after "030;" insert the following "amending section 82.32.045, chapter 7, Laws of 1981 as amended by section 7, chapter 172, Laws of 1981, and RCW 82.32.045;"

The motion by Senator Scott carried and the amendment to the title, as amended, was adopted.

On motion of Senator Scott, the rules were suspended, Engrossed Senate Bill No. 4250 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. 4250, and the bill passed the Senate by the following vote: Yeas, 25; nays, 22; excused, 2.

Voting yea: Senators Bauer, Bluechel, Bottiger, Charnley, Clarke, Conner, Fleming, Fuller, Gaspard, Gould, Hayner, Hemstad, Jones, Kiskaddon, Lee, McDermott, Metcalf, Moore, Quigg, Scott, Sellar, von Reichbauer, Wilson, Wojahn, Zimmerman—25.

Voting nay: Senators Benitz, Craswell, Deccio, Gallagher, Goltz, Guess, Haley, Hansen, Hughes, Hurley, Lysen, McCaslin, Newhouse, Patterson, Peterson, Pullen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Woody—22.

Excused: Senators Rasmussen, Talley—2.

ENGROSSED SENATE BILL NO. 4250, having received the 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 Clarke, Engrossed Senate Bill No. 4250 was ordered immediately transmitted to the House.

PERSONAL PRIVILEGE

Senator Shinpoch: "Mr. President, it seemed to me that leadership had a very fragile compromise worked out and it should not be disturbed until after the vote. But a portion of the debate that went on out here would lead you to believe that the committee that I worked on and the criteria that we had at the caucus did not act properly that this bill was somehow wrong.

"The three criteria that we started with out of our caucus, the first one was that a tax must first be fair. The second was that it should expand the base and that is where the problem comes in. And the third one is that it must be certain."

POINT OF ORDER

Senator Clarke: "I don't believe that is a personal privilege situation."

REMARKS BY SENATOR SHINPOCH

Senator Shinpoch: "Mr. President, Senator Patterson mentioned my name, he indicated that I was the one that set this, and I think I have a right to speak to that.

"Mr. President, the problem comes in to where 'expanding base' comes in. Some people obviously think that expanding the base means putting the sales tax on food that will severely disable the poor. Where we think that expanding the base

comes in, is closing some of the tax loopholes, doing away with some of the corporate welfare, doing away with some of the privileges for the wealthy and that is what we think by expanding the tax base."

POINT OF ORDER

Senator Clarke: "We submit that that is not personal privilege. It relates not to this legislator alone, but it relates to broad matters that are before the body and have been before the body."

REPLY BY THE PRESIDENT

President Cherberg: "Senator Clarke, Senator Patterson did mention Senator Shinpoch's name and Senator Shinpoch did explain and preface his remarks by saying that he did not want to jeopardize the vote, therefore the President felt that he was entitled to express himself in a personal manner.

"Senator Shinpoch, if you care to continue, please confine your remarks to a personal nature."

REMARKS BY SENATOR SHINPOCH

Senator Shinpoch: "Mr. President, I am not sure whether this would fit or not, but I will say it anyway, maybe you can take exception.

"I agreed with almost everything that Senator Patterson had to say except his understanding of what 'expanding the tax base' means, relative to some of you people and what I understand it to mean and what it meant to us when we laid those down as a criteria in the committee."

MOTION

On motion of Senator Clarke, the Senate returned to the fourth order of business.

MESSAGES FROM THE HOUSE

April 7, 1982.

Mr. President: The Speaker has signed:
SECOND SUBSTITUTE SENATE BILL NO. 4603,
SUBSTITUTE SENATE JOINT RESOLUTION NO. 143, and the same are
herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

April 7, 1982.

Mr. President: The House insists on its position regarding the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1217 and once again asks the Senate to recede therefrom, and said bill together with attached amendments thereto is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

MOTION

Senator Gould moved the rules be suspended and Engrossed Substitute House Bill No. 1217 be returned to second reading.

Senator Williams demanded a roll call and the demand was sustained.

MOTION

Senator Williams moved the Senate insist on its position on Engrossed Substitute House Bill No. 1217 and once again ask the House concur in the Senate amendments.

POINT OF ORDER

Senator Clarke: "It is my understanding, I raise the point of order on priority of motions. It is my understanding that the motion which is most likely to accomplish an agreement between the houses, is the affirmative motion, the motion that should be placed first. Obviously the motion to insist would not be in favor of endeavoring to get together with the House whereas the motion to return to second reading and place another amendment on the bill for consideration by the House, would be a motion which would be toward a concurrence between the two bodies and should therefore have priority."

REMARKS BY SENATOR FLEMING

Senator Fleming: "Mr. President, is that particular point of order statement that Senator Clarke gave in this a point of order that the Governor needs some time to consider it? I do not know what the amendment is and so I do not know, necessarily, that that amendment will take us closer together or not."

PARLIAMENTARY INQUIRY

Senator Williams: "Mr. President, the motion to insist on our position still leaves open the avenues in the future for either a conference committee or otherwise which is the normal procedure in terms of bringing the two houses together."

"The motion to move back to second reading from amending the bill, is a rather unusual procedure, and certainly has no predetermined decision before us in terms of what the action will be, once it is back to second reading, to indicate that that is a movement toward bringing the two houses together."

"So I would suggest that the motion to insist on our position, has precedence."
Debate ensued.

POINT OF ORDER

Senator Talmadge: "Mr. President, I would like to raise the point of order with respect to the vote that is required to suspend the rules in this instance. Rule 67 requires with respect to the reading of bills, that the rule with respect to three readings can be waived by a majority vote. However, rule 35 relating to the suspension of the rules, I believe, indicates that a two-thirds majority is required before a standing rule of the Senate may be waived."

"My point of order, Mr. President, is, would this requires a two-thirds vote or a majority vote to suspend the rules to take this bill back to second reading for purposes of an amendment?"

REPLY BY THE PRESIDENT

President Cherberg: "Inasmuch as the Senate is within the last ten days of the session, it would require a majority vote."

POINT OF ORDER

Senator Gould: "Another point of order. Would it be appropriate for me at this point to explain the amendment since some of the complaints have been that they do not know what the amendment contains?"

REPLY BY THE PRESIDENT

President Cherberg: "It may clarify the situation, yes, Senator Gould."
Further debate ensued.

MOTION

At 2:50 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 3:56 p.m.

RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the point of order raised concerning Engrossed House Bill 1217, the President believes that the time-honored procedure outlined in the joint rules and Reed's rules should be followed. Therefore the point of order raised by Senator Clarke is not well taken.

"The President would like to remark that the Senate in its wisdom may wish to request once again that the House concur in the Senate amendments. Failing this, the Senate may wish to request a conference thereon as provided in both Senate and joint rules.

"The question before the Senate is a motion by Senator Williams that the Senate refuse to recede from its amendments and request of the House that it concur."

MOTION

Senator Clarke moved the recede from its amendments to Engrossed Substitute House Bill No. 1217.

Debate ensued.

POINT OF INQUIRY

Senator Talmadge: "Senator Bottiger, my recollection in caucus the other day was that you had indicated that bond counsel, at least up until 1977, had been of the opinion that should the Governor appoint members of the executive board of WPPSS or the executive authority of WPPSS, that there might be a question with respect to the full faith and credit of the state.

"Was that your statement in caucus the other day?"

Senator Bottiger: "Senator Talmadge, approximately 99%. I was reciting that in 1977 I had introduced a bill to have a 3-member board, totally replace the existing WPPSS' board and go with the 3-member board appointed by the Governor.

"At that time the committee and many of us, individually, were urged not to do that because we then exposed the state to liability by making clearly a state agency.

"It is a little bit of difference, but yet the advice then was 'You are treading on the possibility of state liability.'"

Further debate ensued.

Senator Williams demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator Clarke, that the Senate recede from its amendments to Engrossed Substitute House Bill No. 1217.

ROLL CALL

The Secretary called the roll and the motion carried by the following vote: Yeas, 26; nays, 21; excused, 2.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Woody, Zimmerman—26.

Voting nay: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn—21.

Excused: Senators Rasmussen, Talley—2.

MOTION

Senator Clarke moved the rules be suspended and Engrossed Substitute House Bill No. 1217 be returned to second reading.

Senator Williams demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator Clarke that the rules be suspended and Engrossed Substitute House Bill No. 1217 be returned to second reading.

ROLL CALL

The Secretary called the roll and the motion carried by the following vote: Yeas, 27; nays, 20; excused, 2.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Woody, Zimmerman—27.

Voting nay: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn—20.

Excused: Senators Rasmussen, Talley—2.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1217, by Select Committee on Deregulation and Productivity (originally sponsored by Representatives Williams, Vander Stoep and Tupper):

Modifying provisions in joint operating agencies.

Senator Gould moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 43.52.250, chapter 8, Laws of 1965 as last amended by section 1, chapter 1, Laws of 1981 1st ex. sess. and RCW 43.52.250 are each amended to read as follows:

As used in this chapter and unless the context indicates otherwise, words and phrases shall mean:

"District" means a public utility district as created under the laws of the state of Washington authorized to engage in the business of generating and/or distributing electricity.

"City" means any city or town in the state of Washington authorized to engage in the business of generating and/or distributing electricity.

"Canada" means Canada or any province thereof.

"Operating agency" or "joint operating agency" means a municipal corporation created pursuant to RCW 43.52.360, as now or hereafter amended.

"Board of directors" means the board established under RCW 43.52.370.

"Executive board" means the board established under RCW 43.52.374.

"Board" means the board of directors of the joint operating agency unless the operating agency is constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW, in which case "board" means the executive board.

"Public utility" means any person, firm or corporation, political subdivision or governmental subdivision including cities, towns and public utility districts engaged in or authorized to engage in the business of generating, transmitting or distributing electric energy.

"Revenue bonds or warrants" means bonds, notes, bond anticipation notes, warrants, certificates of indebtedness, commercial paper, refunding or renewal obligations, payable from a special fund or revenues of the utility properties operated by the joint operating agency.

Sec. 2. Section 43.52.370, chapter 8, Laws of 1965 as last amended by section 1, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.370 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the management and control of an operating agency shall be vested in a board of directors, herein sometimes referred to as the board. The legislative body of each member of an operating agency shall appoint a representative who may, at the discretion of the member and regardless of any charter or other provision to the contrary, be an officer or employee of the member, to serve on the board of the operating agency. Each representative shall have one vote and shall have, in addition thereto, one vote for each block of electric energy equal to ten percent of the total energy generated by the agency during the preceding year purchased by the member represented by such representative. Each member may appoint an alternative representative to serve in the absence or disability of its representative. Each representative shall serve at the pleasure of the member. The board of an operating agency shall elect from its members a president, vice president and secretary, who shall serve at the pleasure of the board. The president and secretary shall perform the same duties with respect to the operating agency as are provided by law for the president and secretary, respectively, of public utility districts, and such other duties as may be provided by motion, rule or resolution of the board. The board of an operating agency shall adopt rules for the conduct of its meetings and the carrying out of its business, and adopt an official seal. All proceedings of an operating agency shall be by motion or resolution and shall be recorded in the minute book which shall be a public record. A majority of the board members shall constitute a quorum for the transaction of business. A majority of the votes which the members present are entitled to cast shall be necessary and sufficient to pass any motion or resolution: PROVIDED, That such board members are entitled to cast a majority of the votes of all members of the board. The members of the board of an operating agency may be compensated by such agency as is provided in RCW 43.52.290: PROVIDED, That the per diem compensation to any member shall not exceed five thousand dollars in any year except for board members who are elected to serve on an executive board established under RCW 43.52.374, in which case per diem compensation to any member shall not exceed ten thousand dollars in any year.

(2) If an operating agency is constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW, the powers and duties of the board of directors shall include and are limited to the following:

(a) Final authority on any decision of the operating agency to purchase, acquire, construct, ~~((or sell))~~ terminate, or decommission any power plants, works, and facilities except that once the board of directors has made a final decision

regarding a nuclear power plant, the executive board established under RCW 43.52.374 shall have the authority to make all subsequent decisions regarding the plant and any of its components; and

~~(b) ((Acceptance or rejection of bids or offers for bonds and the sale and issuance of bonds: PROVIDED, That the board may delegate this authority to the executive board;~~

~~(c) Appointment of a treasurer under RCW 43.52.375;~~

~~(d)) Election of members to and removal from the executive board under RCW 43.52.374(1)(a)((;~~

~~(e) Approve annual budgets submitted by the executive board; and~~

~~(f) Select, appoint, and establish the compensation of the outside directors as provided in RCW 43.52.374)).~~

All other powers and duties of the operating agency, including without limitation authority for all actions subsequent to final decisions by the board of directors, including but not limited to the authority to sell any power plant, works, and facilities are vested in the executive board established under RCW 43.52.374.

Sec. 3. Section 2, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.374 are each amended to read as follows:

(1) With the exception of the powers and duties of the board of directors described in RCW 43.52.370(2), the management and control of an operating agency constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW is vested in an executive board established under this subsection and consisting of eleven members.

(a) Seven members of the executive board shall be elected to four-year terms by the board of directors from among the members of the board of directors. The board of directors may provide by rule for the composition of the seven members of the executive board elected from among the members of the board of directors so as to ~~((afford fair representation which reflects))~~ reflect the member public utility districts' and cities' participation in the joint operating agency's projects. The board of directors may also provide by rule for the removal of a member of the executive board, ~~((including))~~ except for the outside directors. Members of the board of directors may be elected to serve successive terms on the executive board.

(b) Four members of the executive board shall be outside directors and shall be selected and appointed by the ~~((board of directors))~~ governor and confirmed by the senate. The outside directors shall:

(i) Serve four-year terms on the executive board. However, of the initial members of the executive board, the ~~((board of directors shall choose by lot))~~ governor shall appoint two outside directors to serve two-year terms and two to serve four-year terms. Thereafter, all outside directors shall be appointed for four-year terms. All outside directors are eligible for reappointment;

(ii) Receive per diem compensation and travel expenses on the same basis as the seven members elected from the board of directors. The outside directors ~~((may be paid additional compensation as established by the board of directors))~~ shall also receive a salary from the operating agency as fixed by the governor;

(iii) Not be an officer or employee of, or in any way affiliated with, the Bonneville power administration or any electric utility conducting business in the states of Washington, Oregon, Idaho, or Montana;

(iv) Not be involved in the financial affairs of the operating agency as an underwriter or financial adviser of the operating agency or any of its members or any of the participants in any of the operating agency's plants; and

(v) Be representative of policy makers in business, finance, or science, or ~~((be recognized experts))~~ have expertise in the construction or management of such facilities as the operating agency is constructing or operating, or have expertise in the termination, disposition, or liquidation of corporate assets.

(c) ((The president of the board of directors shall be a nonvoting member of the executive board and shall serve as the presiding officer of the executive board:)) The governor may remove outside directors from the executive board for incompetency, misconduct, or malfeasance in office in the same manner as state appointive officers under chapter 43.06 RCW. For purposes of this subsection, misconduct shall include, but not be limited to, nonfeasance and misfeasance.

(2) Nothing in this chapter shall be construed to mean that an operating agency is in any manner an agency of the state. Nothing in this chapter alters or destroys the status of an operating agency as a separate municipal corporation or makes the state liable in any way or to any extent for any preexisting or future debt of the operating agency or any present or future claim against the agency.

(3) The eleven members of the executive board shall be selected with the objective of establishing an executive board which has the resources to effectively carry out its responsibilities. ((To the extent reasonably possible, the membership and operation of the executive board should be patterned after boards of directors of large private corporations:)) All members of the executive board shall conduct their business in a manner which in their judgment is in the interest of all ratepayers affected by the joint operating agency and its projects.

(4) The executive board shall elect from its members a chairman, vice chairman, and secretary, who shall serve at the pleasure of the executive board. The executive board shall adopt rules for the conduct of its meetings and the carrying out of its business. All proceedings shall be by motion or resolution and shall be recorded in the minute book, which shall be a public record. A majority of the executive board shall constitute a quorum for the transaction of business.

(5) With respect to any operating agency existing on ((July 28, 1981)) the effective date of this 1982 act, to which the provisions of this section are applicable:

(a) The board of directors shall elect seven members to the executive board no later than sixty days after ((July 28, 1981)) the effective date of this 1982 act; and

(b) The ((board of directors)) governor shall select and appoint the initial outside directors and the executive board shall hold its organizational meeting no later than ((ninet)) sixty days after ((July 28, 1981)) the effective date of this 1982 act, and the powers and duties prescribed in ((RCW 43.52.375, 43.52.378, and this section)) this chapter shall devolve upon the executive board at that time.

(6) The executive board shall select and employ a managing director of the operating agency and may delegate to the managing director such authority for the management and control of the operating agency as the executive board deems appropriate. The managing director's employment is terminable at the will of the executive board.

(7) ((Any executive board created under this section shall cease to function upon the initiation of regular operations of the nuclear power plant over which it has exercised construction management powers and duties. If the operating agency is constructing two or more nuclear power plants simultaneously, the executive board shall cease exercising all powers as to each plant as it becomes operational:)) Members of the executive board shall be immune from civil liability for mistakes and errors of judgment in the good faith performance of acts within the scope of their official duties involving the exercise of judgment and discretion. This grant of immunity shall not be construed as modifying the liability of the operating agency.

The operating agency shall undertake the defense of and indemnify each executive board member made a party to any civil proceeding including any threatened, pending, or completed action, suit, or proceeding, whether civil, administrative, or investigative, by reason of the fact he or she is or was a member of the executive board, against judgments, penalties, fines, settlements, and reasonable expenses, actually incurred by him or her in connection with such proceeding if he or she had

conducted himself or herself in good faith and reasonably believed his or her conduct to be in the best interest of the operating agency.

NEW SECTION. Sec. 4. (1) All personnel and employees of a board of directors or executive board or committee displaced by section 3 of this act shall become personnel and employees of the executive board created in section 3 of this act without any loss of rights, subject to any appropriate action thereafter.

(2) All pending business before a board of directors or executive board or committee which is replaced by the executive board created in section 3 of this act shall be continued and acted upon by the new executive board.

(3) This act shall not be construed to alter:

(a) Any existing rights acquired under laws relating to operating agencies;

(b) The status of any actions, activities, or civil or criminal proceedings of any existing operating agencies;

(c) The status of any collective bargaining agreements, indebtedness, contracts, or other obligations;

(d) Any valid resolutions, covenants, or agreements between an operating agency and members, participants in any electric generating facility, privately owned public utilities, or agencies of the federal government; or

(e) Any rules, resolutions, or orders adopted by a board of directors or executive board or committee until canceled or superseded.

Sec. 5. Section 43.52.373, chapter 8, Laws of 1965 and RCW 43.52.373 are each amended to read as follows:

The board of directors of an operating agency by rule may create an executive committee to be composed of not less than three nor more than seven members of the board of directors. The board of directors may provide by rule for the composition of the executive committee so as to afford, in its judgment, fair representation to the member public utility districts and cities. The executive committee shall administer the business of the board of directors during intervals between its meetings in accordance with its rules, motions or resolutions. The executive committee shall have authority to acquire or construct only such properties as may be provided for by motion or resolution of the board of directors. The terms of office of the members of the executive committee and the method of filling vacancies therein shall be fixed by the rules of the board of directors of the operating agency.

Sec. 6. Section 43.52.375, chapter 8, Laws of 1965 as amended by section 3, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.375 are each amended to read as follows:

The board of each joint operating agency shall by resolution appoint a treasurer. ~~((If the joint operating agency is constructing a nuclear power plant under a site certification agreement under chapter 80.50 RCW, the appointment of the treasurer shall be on the recommendation of the executive board established under RCW 43.52.374.))~~ The treasurer shall be the chief financial officer of the operating agency, who shall report at least annually to the board a detailed statement of the financial condition of the operating agency and of its financial operations for the preceding fiscal year. The treasurer shall advise the board on all matters affecting the financial condition of the operating agency. Before entering upon his duties the treasurer shall give bond to the operating agency, with a surety company authorized to write such bonds in this state as surety, in an amount which the board finds by resolution will protect the operating agency against loss, conditioned that all funds which he receives as such treasurer will be faithfully kept and accounted for and for the faithful discharge of his duties. The amount of such bond may be decreased or increased from time to time as the board may by resolution direct.

The board shall also appoint an auditor and may require him to give a bond with a surety company authorized to do business in the state of Washington in such amount as it shall by resolution prescribe, conditioned for the faithful discharge of

his duties. (~~If the joint operating agency is constructing a nuclear power plant under a site certification agreement under chapter 80.50 RCW, the auditor shall be appointed by the executive board.~~) The auditor shall report directly to the board and be responsible to it for discharging his duties.

The premiums on the bonds of the auditor and the treasurer shall be paid by the operating agency. The board may provide for coverage of said officers and other persons on the same bond.

All funds of the joint operating agency shall be paid to the treasurer and shall be disbursed by him only on warrants issued by the auditor upon orders or vouchers approved by the board: PROVIDED, That the board by resolution may authorize the (~~executive committee or executive board~~) managing director or any other bonded officer or employee as legally permissible to approve or disapprove vouchers presented to defray salaries of employees and other expenses of the operating agency arising in the usual and ordinary course of its business (~~and expenses incurred by the executive committee or executive board in the performance of such duties as the operating agency may authorize it to perform~~), including expenses incurred by the board of directors, its executive committee, or the executive board in the performance of their duties. All moneys of the operating agency shall be deposited forthwith by the treasurer in such depositories, and with such securities as are designated by rules of the board. The treasurer shall establish a general fund and such special funds as shall be created by the board, into which he shall place all money of the joint operating agency as the board by resolution or motion may direct.

Sec. 7. Section 1, chapter 220, Laws of 1979 ex. sess. as amended by section 4, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.378 are each amended to read as follows:

The executive board of any operating agency constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement issued pursuant to chapter 80.50 RCW shall appoint an administrative auditor. The administrative auditor shall be deemed an officer under chapter 42.23 RCW. The appointment of the administrative auditor shall be in addition to the appointment of the auditor for the issuance of warrants and other purposes as provided in RCW 43.52.375. The executive board shall retain a qualified firm or firms to conduct performance audits (~~including such engineering expertise as the executive board deems necessary~~;) which is in fact independent and does not have any interest, direct or indirect, in any contract with the operating agency other than its employment hereunder. No member or employee of any such firm shall be connected with the operating agency as an officer, employee, or contractor. The administrative auditor and the firm or firms shall be independently and directly responsible to the executive board of the operating agency. The executive board shall require a firm to conduct continuing audits of the methods, procedures and organization used by the operating agency to control costs, schedules, productivity, contract amendments, project design and any other topics deemed desirable by the executive board. The executive board may also require a firm to analyze particular technical aspects of the operating agency's projects and contract amendments. The firm or firms shall provide advice to the executive board in its management and control of the operating agency. At least once each year, the firm or firms shall prepare and furnish a report of its actions and recommendations to the executive board for the purpose of enabling it to attain the highest degree of efficiency in the management and control of any thermal power project under construction or in operation. The administrative auditor shall assist the firm or firms in the performance of its duties. The administrative auditor and the firm or firms shall consult regularly with the executive board and furnish any information or data to the executive board which the administrative auditor, firm, or executive board deems helpful in accomplishing the purpose above

stated. The administrative auditor shall perform such other duties as the executive board shall prescribe to accomplish the purposes of this section.

In addition to the powers and duties conferred by chapter 44.28 RCW, the legislative budget committee shall evaluate such management audits as to adequacy and effectiveness of procedure and shall consult with and make reports and recommendations to the executive board. The operating agency shall reimburse the legislative budget committee for all costs of furnishing such services.

The operating agency shall file a copy of each firm's reports, and the legislative budget committee shall file a copy of each of its reports or recommendations in a timely manner, prepared in accordance with this section, with the respective chairmen of the senate and house energy and utilities committees. Upon the concurrent request of the chairmen of the senate or house energy and utilities committees, the operating agency shall report to the committees on a quarterly basis.

NEW SECTION. Sec. 8. There is added to chapter 43.52 RCW a new section to read as follows:

For the purposes of this chapter, including but not limited to RCW 43.52.343, the best interests of all ratepayers affected by the joint operating agency and its projects shall determine the interest of the operating agency and its board.

Sec. 9. Section 2, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.020 are each amended to read as follows:

As used in this chapter unless the context indicates otherwise:

(1) "Public agency" means:

(a) Any state board, commission, committee, department, educational institution, or other state agency which is created by or pursuant to statute, other than courts and the legislature((-));

(b) Any county, city, school district, special purpose district, or other municipal corporation or political subdivision of the state of Washington;

(c) Any subagency of a public agency which is created by or pursuant to statute, ordinance, or other legislative act, including but not limited to planning commissions, library or park boards, commissions, and agencies;

(d) Any policy group whose membership includes representatives of publicly owned utilities formed by or pursuant to the laws of this state when meeting together as or on behalf of participants who have contracted for the output of generating plants being planned or built by an operating agency.

(2) "Governing body" means the multimember board, commission, committee, council, or other policy or rule-making body of a public agency.

(3) "Action" means the transaction of the official business of a public agency by a governing body including but not limited to a collective decision made by a majority of the members of a governing body, a collective commitment or promise by a majority of the members of a governing body to make a positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance.

(4) "Meeting" means meetings at which action is taken.

NEW SECTION. Sec. 10. 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. 11. 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."

POINT OF INQUIRY

Senator McDermott: "Senator Gould, my question is: was there ever testimony before the energy committee on the effect of this change in the structure of the WPPSS' board on our bond rating?"

"My question is, was there ever any testimony before the energy committee about the effect on our bond rating of this change in the WPPSS' board?"

Senator Gould: "To my recollection there was no testimony, at least anybody within the financial community with expertise to that effect; but correct me if I am wrong or a committee member can correct me if I am wrong."

Debate ensued.

On motion of Senator Gould, the following amendment to the amendment by Senator Gould was adopted:

On page 11, after line 26, insert a new paragraph as follows,

"In addition members of the executive board who are utility employees shall not be fired, forced to resign, or demoted from their utility jobs for decisions they make while carrying out their duties as members of the executive board involving the exercise of judgment and discretion."

Senator Williams moved adoption of the following amendment to the amendment by Senator Gould:

Beginning on page 6, strike all of section 3 and renumber the remaining sections accordingly.

Senator Williams demanded a roll call and the demand was sustained.

Debate ensued.

MOTION

On motion of Senator Clarke, further consideration of Engrossed Substitute House Bill No. 1217, together with the pending amendment by Senators Gould, as amended, and the amendment by Senators Williams to the amendment by Senator Gould, was deferred until a later time.

MOTION

On motion of Senator Clarke, the Senate commenced consideration of Engrossed Substitute House Bill No. 312.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 312, by Committee on Revenue (originally sponsored by Committee on Revenue and Representative Greengo):

Prohibiting municipal corporations from imposing certain development fees, taxes, and charges.

The bill was read the second time by sections.

On motion of Senator Zimmerman, the following amendments by Senators Zimmerman and Charnley were adopted:

On page 1, line 16, strike "No" and insert "Except where specifically authorized to impose retail sales and use taxes, or business and occupation taxes, no"

On page 3, following line 7, insert a new section to read as follows:

"**NEW SECTION.** Sec. 2. Nothing in this act precludes the imposition of business and occupation taxes by cities and towns, or of sales and use taxes. However, nothing in this act authorizes the imposition of a business and occupation tax by any county."

MOTION

On motion of Senator Zimmerman, there being no objection, the amendment striking everything after the enacting clause, on the desk of the Secretary of the Senate, was withdrawn.

POINT OF INQUIRY

Senator Pullen: "Senator Zimmerman, before we advance this bill to third reading, I was hoping you might be able to tell us what some of the differences are between House Bill 312 and House Bill 1014."

Senator Zimmerman: "Certainly. The major difference is that 312 simply takes out the section dealing with the development fee issue, puts it into a separate bill much as 1014 did in its original form when it first came to us. So that is really returning to what was originally 1014 with very limited, agreed upon modifications. 1014, on the other hand, is a major separate bill which incorporates utility lids for the utility taxes, utility rates, phasing down to six percent over five years. It includes the section in which there is a B&O study by the Municipal Research Council. It includes the optional up to one-half sales tax for cities and counties. It includes the option of what will be a quarter percent option for real estate excise taxes and as a replacement of development fees, and it includes the half cent option for real estate taxes for border communities. And it includes in all of these, an initiative process available to the public to vote on the measures if they do not approve of the local actions of the local city councils or counties. All that is incorporated into 1014. That is the difference."

Senator Pullen: "That was a very valuable explanation. I was taking a look at the striking amendment, Section 3 . . ."

Senator Zimmerman: "You are looking at what has been withdrawn. I think the only bill that you are looking at is in the book is in very limited development fee books. I am not including these real estate excise taxes in this."

Senator Pullen: "I think the proceedings are a little mysterious to some members."

Senator Zimmerman: "I hope you will give me a chance to explain that because there is a little bit of explaining."

On motion of Senator Zimmerman, the rules were suspended, Engrossed Substitute House Bill No. 312, 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

Senator Bottiger moved Engrossed Substitute House Bill No. 312, as amended by the Senate, be deferred.

Debate ensued.

Senator Bottiger demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator Bottiger that further action on Engrossed Substitute House Bill No. 312, as amended by the Senate, be deferred.

ROLL CALL

The Secretary called the roll and the motion by Senator Bottiger failed by the following vote: Yeas, 20; nays, 27; excused, 2.

Voting yea: Senators Bauer, Bottiger, Charnley, Fleming, Gaspard, Goltz, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—20.

Voting nay: Senators Benitz, Bluechel, Clarke, Conner, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—27.

Excused: Senators Rasmussen, Talley—2.

POINT OF INQUIRY

Senator Pullen: "Senator Zimmerman, my first question concerns line 27 through 30 on page 2. It says this section does not limit the existing authority of any county, city, town or other municipal corporation to impose special assessments on property specifically benefited thereby in the manner prescribed by law. Could you tell me what that means?"

Senator Zimmerman: "Senator Pullen, that section means that a PUD or a water district, sewer district, an entity such as mentioned back on page 3 that is listed under title 54, 56, 57 and 87, allowing them to make specific charges because there would be situations where they are specifically benefiting a piece of property and they would need to have that option. That does allow them to make those fee charges."

Senator Pullen: "My second question concerns one of the cities in my district. It is a very small town by the name of Black Diamond. Recently it cost the city one million eight hundred thousand dollars, which is a lot of money for such a small town, to put in sewers, and they are currently charging each resident four hundred dollars in order to hook up to get this sewer service. Would they still be allowed to continue charging such revenues for the privilege of hooking up to the sewer system?"

Senator Zimmerman: "That would still be allowed down here in this last part of page 2, 'Where nothing in this section prohibits cities, towns, from imposing a permit for water, sewer,' in this case sewer, 'charges as long as those charges do not exceed the proportionate share.' In other words, they would have to be fair; they would have to be appropriately put on, but they would still be allowed to do that under this measure. That is correct."

POINT OF INQUIRY

Senator Ridder: "Would you respond to the question that Senator Pullen asked please?"

Senator Bottiger: "Mr. President and members of the Senate, Senator Pullen, I share your concern because it is one thing to say that all the property will share and pay for the 'benefit it receives.' That sounds fair and reasonable and logical, but if you live on a narrow unimproved road and somebody puts a large development in down at the end of the road and they are going to improve it by an LID, not only does that developer pay his share but so does everybody else on the road. Not only with roads but sewer districts or all the other ways that we pay for LIDs. Now currently, we are able to charge the development fee and require the developer to pay for the cost of the new improved road which none of the residents ever wanted, together with any of the traffic that is on it. And so now we have the local people paying 'their proportionate benefit share' under an LID proposal. And that is, I think, Senator Pullen, the real answer to your question."

POINT OF INQUIRY

Senator Hemstad: "Senator Zimmerman, as I read this bill, in Section 1 after it essentially prohibits the imposition of taxes, charges and so on, then it goes on to say that it does not preclude dedications of land pursuant to RCW 58 and so on. And then it goes on to say that the section does not prohibit voluntary agreements with regard to the payment of a fee in lieu of a dedication. And then with further elaboration on that. What, in your development of this piece of legislation, is a voluntary agreement? I would consider that to be an arrangement in which both parties agree. In other words, the developer could decline to enter into such an agreement. Is that correct?"

Senator Zimmerman: "The voluntary agreements that I am aware of, as far as I recall in terms of the explanations on this measure, were for a major developer, for instance in Seattle, who had for many years has had special volunteer agreements that he has made with the city to do certain things in terms of his particular projects and he has laid out what he felt was agreeable. The city has also felt it was important that he do these things before he proceed with the project and it was done on that kind of a basis, and I guess Martin Selig is the example that I bring up. There are some other questions that were going to be brought up that we are going to deal with that. I think one of them it refers back to a specific case that we will mention in a moment. I was going to — with one other question. Maybe this is an appropriate time to have that question and an elaboration on it by Marshall Neill."

Senator Hemstad: "Thank you. If after that I could then speak to the bill."

POINT OF INQUIRY

Senator Bluechel: "Senator Zimmerman, under this bill what may voluntary agreements as described in Section 1 include?"

Senator Zimmerman: "Senator Bluechel, Justice Marshall Neill of the Washington State Supreme Court, who was a former member of this Senate, states in Chroback vs. Snohomish County, (1971) the following:

'The indicia of validity in such agreements include: (1) The performance called for is directly related to public needs which may be expected to result from the proposed usage of the property to be rezoned. (2) Fulfillment of those needs is an appropriate function of the contracting governmental body. (3) Performance will mitigate the public burden in meeting those resulting needs by placing it more directly on the party whose property use will give rise to them. (4) The agreement involves no purported relinquishment by the governing body of its discretionary zoning power.'

'Basically, a valid concomitant agreement operates to neutralize any expected negative impact of the proposed property usage. In this, it is distinguished from an agreement which seeks to extract some collateral benefit from the property owner.'

"That I hope does cover at least part of the voluntary agreement. Does that cover what you have in mind too?"

Further debate ensued.

POINT OF INQUIRY

Senator Charnley: "Senator Zimmerman, I am looking on the bottom of the second page at language that, as I recall, may have been added when we were last discussing the bill in our committee, the paragraph that says 'Nothing in this section prohibits counties, cities or towns from imposing a permit, 'etc.' for proposed water, sewer, drainage system charges provided.' etc. There was some significant concern expressed during our caucus and I had forgotten that that language was put in. I thought we had left that out. And the concern was that does this ineffectively prohibit the municipal corporations from assessing fair and appropriate assessments to pay for the costs of expanding utility systems to all property benefited? Can you reflect on that particular section?"

Senator Zimmerman: "It certainly was my understanding in the earlier discussions that this does not preclude their being able to do that. The provisos plus the latter section, of course, dealt with other specific units of, I guess, sewer and water districts and these that we have already covered. But, no, I do not see that as precluding their being ..."

Senator Charnley: "The concern, Senator Zimmerman, was that if the person wanted to develop some property separated from the end of the water main by, say, two miles and that in order to bring the water into that development you had to

cross other property, will the county be able to, or the water system or whatever, be able to assess the developed property for the cost of extending that main or will they only be able to charge them for their actual physical costs, what is out in front of their property. And the property in between will have to pay then for some of the cost of running that main across their property which they don't particularly care to have."

Senator Zimmerman: "It is my understanding that they would definitely, the developer would be charged for that section that is going to extend from the road where the main lateral, main line is going, and he is going to run a lateral off a block or two blocks or a quarter of a mile or whatever that distance, that he is going to pay for that stretch. That is going to be altogether the developer's cost."

Senator Charnley: "And that would be an appropriate fee or charge?"

Senator Zimmerman: "It would be an appropriate development fee charge that he would be paid on the basis that it is going to specifically benefit that particular piece of property and . . ."

Senator Charnley: "And nothing in this section or in this bill then would prohibit that?"

Senator Zimmerman: "I don't see that as prohibiting that. The idea was to pin down as precisely as possible the development fees that would benefit the property rather than that they would be able to put charges on and other costs on that are periphery to it or are beyond what are reasonable in the sense of the costs involved. I hate to turn it back to the fact that cities and counties seem to feel comfortable with this language. I quite agree that there seems to be some obvious possible oversights, but I am also reflecting on the fact that they said they could very happily, they were willing to accept this and at the same time they do want — I don't want to leave anybody with the idea that they don't want 1014 to pass, because that is obviously the very essential part is that if they are giving up some obvious dollars in terms of development fees, they obviously need some revenue that they hope to gain back through the real estate and through the option sales tax and for that I think that that is the balance and the trade that we are trying to get to and obviously with passage of 1014."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 312, as amended by the Senate, and the bill failed to pass the Senate by the following vote: Yeas, 24; nays, 23; excused, 2.

Voting yea: Senators Benitz, Bluechel, Clarke, Conner, Craswell, Deccio, Fuller, Gallagher, Guess, Hansen, Hayner, Jones, Kiskaddon, Lee, McCaslin, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Woody, Zimmerman—24.

Voting nay: Senators Bauer, Bottiger, Charnley, Fleming, Gaspard, Goltz, Gould, Haley, Hemstad, Hughes, Hurley, Lysen, McDermott, Metcalf, Moore, Peterson, Ridder, Shipoch, Talmadge, Vognild, Williams, Wilson, Wojahn—23.

Excused: Senators Rasmussen, Talley—2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 312, as amended by the Senate, having failed to receive the constitutional majority, was declared lost.

MOTION

At 5:47 p.m., on motion of Senator Clarke, 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 Clarke, the Senate advanced to eighth order of business.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Haley moved the Senate reconsider the vote by which Engrossed Substitute House Bill No. 312, as amended by the Senate, failed to pass the Senate today.

Debate ensued.

Senator Bottiger demanded a roll call and the demand was sustained.

Further debate ensued.

MOTION

On motion of Senator Clarke, the motion for reconsideration by Senator Haley on the failure of Engrossed Substitute House Bill No. 312, as amended by the Senate, was ordered held for consideration at a later time.

MOTION

On motion of Senator Clarke, the Senate returned to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1014, by House Committee on Select Committee on Deregulation and Productivity (originally sponsored by Representatives Eberle, King (R.), Hastings, Owen, Nelson (G.), Stratton and Sanders):

Delineating restrictions on taxing powers of counties, cities and towns.

REPORT OF STANDING COMMITTEE

March 26, 1982.

SUBSTITUTE HOUSE BILL NO. 1014, delineating restrictions on taxing powers of counties, cities and towns (reported by Committee on Local Government):

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. The legislature hereby recognizes the concern of local governmental entities regarding the financing of vital services to residents of this state. The legislature finds that local governments are an efficient and responsive means of providing these vital services to the citizens of this state. It is the intent of the legislature that vital services such as public safety, public health, and fire protection be recognized by all local governmental entities in this state as top priorities of the citizens of Washington.

NEW SECTION. Sec. 2. (1) No city or town may impose a franchise fee or any other fee or charge of whatever nature or description upon the light and power, telephone, or gas distribution businesses, as defined in RCW 82.16.010, except that (a) a tax authorized by section 3 of this act may be imposed and (b) a fee may be charged to such businesses that recovers actual administrative expenses incurred by a city or town that are directly related to receiving and approving a permit, license, and franchise, to inspecting plans and construction, or to the preparation of a detailed statement pursuant to chapter 43.21C RCW.

(2) Subsection (1) of this section does not prohibit franchise fees imposed on an electrical energy, natural gas, or telephone business, by contract existing on the effective date of this section with a city or town, for the duration of the contract, but

the franchise fees shall be considered taxes for the purposes of the limitations established in sections 3 and 4 of this act to the extent the fees exceed the costs allowable under subsection (1) of this section.

NEW SECTION. Sec. 3. No city or town may increase the rate of tax it imposes on the privilege of conducting an electrical energy, natural gas, or telephone business which increase applies to business activities occurring before the effective date of the increase, and no rate change may take effect before the expiration of sixty days following the enactment of the ordinance establishing the change.

NEW SECTION. Sec. 4. (1) Subject to the enactment into law of the 1982 amendment to RCW 82.02.020 by section 5 of this act, no city or town may impose a tax on the privilege of conducting an electrical energy, natural gas, or telephone business at a rate which exceeds six percent unless the rate is approved by a majority of the voters of the city or town voting on the proposition.

(2) Subject to the enactment into law of the 1982 amendment to RCW 82.02-.020 by section 5 of this act, if a city or town is imposing a rate of tax under subsection (1) of this section in excess of six percent on the effective date of this section, the city or town shall decrease the rate to a rate of six percent or less by reducing the rate each year before November 1st by an amount equal to the lesser of (a) the weighted average increase in utility rates for the period beginning October 1st of the previous year and ending September 30th of the current year less the increase in the Seattle All Urban Consumer Price Index for the same period, multiplied by the then current tax rate or (b) one-fifth the difference between the tax rate on the effective date of this section and six percent. If the amount determined under (b) of this subsection is less than the amount determined under (a) of this subsection, then one-half of the difference between the amounts determined under (a) and (b) of this subsection shall be added to the amount determined under (a) of this subsection in the following year.

As used in this subsection, "weighted average increase in utility rates" means the percentage increase in utility revenues for each utility expected from application of increases in rates based on the previous year's revenues and service areas within each city or town.

Nothing in this subsection prohibits a city or town from reducing its rates by amounts greater than the amounts required in this subsection.

Voter approved rate increases under subsection (1) of this section shall not be included in the computations under this subsection.

Sec. 5. Section 82.02.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 196, Laws of 1979 ex. sess. and RCW 82.02.020 are each amended to read as follows:

Except only as expressly provided in RCW 67.28.180 and 67.28.190 and the provisions of chapter 82.14 RCW, the state preempts the field of imposing taxes upon retail sales of tangible personal property, the use of tangible personal property, parimutuel wagering authorized pursuant to RCW 67.16.060, conveyances, and cigarettes, and no county, town, or other municipal subdivision shall have the right to impose taxes of that nature. No county, city, town, or other municipal corporation shall impose any tax, fee, or charge, either direct or indirect, on the construction or reconstruction of residential buildings, commercial buildings, industrial buildings, or on any other building or building space or appurtenance thereto, or on the development, subdivision, classification, or reclassification of land. However, this section does not preclude dedications of land or easements pursuant to RCW 58.17.110 within the proposed development or plat which the county, city, town, or other municipal corporation can demonstrate are reasonably necessary as a direct result of the proposed development or plat to which the dedication of land or easement is to apply.

This section does not prohibit voluntary agreements with counties, cities, towns, or other municipal corporations that allow a payment in lieu of a dedication of land or to mitigate a direct impact that has been identified as a consequence of a proposed development, subdivision, or plat: PROVIDED, That any such voluntary agreement shall be subject to the following provisions:

(1) The payment shall be held in a reserve account and may only be expended to fund a capital improvement agreed upon by the parties to mitigate the identified, direct impact;

(2) The payment shall be expended in all cases within five years of collection; and

(3) Any payment not so expended shall be refunded with interest at the rate applied to judgments to the property owners of record at the time of the refund; however, if the payment is not expended within five years due to delay attributable to the developer, the payment shall be refunded without interest.

No county, city, town, or other municipal corporation shall require any payment as part of such a voluntary agreement which the county, city, town, or other municipal corporation cannot establish is reasonably necessary as a direct result of the proposed development or plat.

Nothing in this section prohibits cities, towns, counties, or other municipal corporations from collecting reasonable fees from an applicant for a permit or other governmental approval to cover the cost to the city, town, county, or other municipal corporation of processing applications, inspecting and reviewing plans, or preparing detailed statements required by chapter 43.21C RCW.

This section does not limit the existing authority of any county, city, town, or other municipal corporation to impose special assessments on property specifically benefitted thereby in the manner prescribed by law.

Nothing in this section prohibits counties, cities, or towns from imposing or permits counties, cities, or towns to impose water, sewer, natural gas, drainage utility, and drainage system charges: PROVIDED, That no such charge shall exceed the proportionate share of such utility or system's capital costs which the county, city, or town can demonstrate are attributable to the property being charged: PROVIDED FURTHER, That these provisions shall not be interpreted to expand or contract any existing authority of counties, cities, or towns to impose such charges.

This section does not apply to special purpose districts formed and acting pursuant to Titles 54, 56, 57, or 87 RCW, nor is the authority conferred by these titles affected.

NEW SECTION. Sec. 6. Nothing in this act precludes the imposition of business and occupation taxes by cities and towns, or of sales and use taxes. However, nothing in this act authorizes the imposition of a business and occupation tax by any county.

NEW SECTION. Sec. 7. Every city and town first imposing a business and occupation tax or increasing the rate of the tax after the effective date of this section shall provide for a special initiative procedure on an ordinance imposing or altering each tax. Such a special initiative procedure shall subject the ordinance imposing or altering the tax to approval or rejection by the voters. If the voters of the city or town otherwise possess the general power of initiative on city or town matters, this special initiative procedure shall conform to the requirements of that procedure. If the voters of a city or town do not otherwise possess the general power of initiative on city or town matters, this special initiative procedure shall conform to the requirements and procedures for initiative petitions provided for code cities in RCW 35A.11.100.

NEW SECTION. Sec. 8. The municipal research council shall conduct a survey to determine the various rates of business and occupation taxes in each city and town in the state of Washington. The survey shall use the rates in effect on March 1,

1982. The research council shall provide the results of the survey to the legislature no later than July 1, 1982.

NEW SECTION. Sec. 9. (1) Subject to the enactment into law of the 1982 amendment to RCW 82.02.020 by section 5 of this act, the governing body of any county or any city may impose an excise tax on each sale of real property in the unincorporated areas of the county for the county tax and in the corporate limits of the city for the city tax at a rate not exceeding one-half of one percent of the selling price.

(2) Subject to the enactment into law of the 1982 amendment to RCW 82.02.020 by section 5 of this act, in lieu of imposing the tax authorized in RCW 82.14.030(2), the governing body of any county or any city may impose an additional excise tax on each sale of real property in the unincorporated areas of the county for the county tax and in the corporate limits of the city for the city tax at a rate not exceeding one-half of one percent of the selling price.

(3) Taxes imposed under this section shall be collected from persons who are taxable by the state under chapter 82.45 RCW upon the occurrence of any taxable event within the unincorporated areas of the county or within the corporate limits of the city, as the case may be.

(4) Taxes imposed under this section shall comply with all applicable rules, regulations, laws, and court decisions regarding real estate excise taxes as imposed by the state under chapter 82.45 RCW.

(5) As used in this section, "city" means any city or town.

NEW SECTION. Sec. 10. Every county and city imposing a tax under section 9(2) of this act shall provide for a special initiative procedure on an ordinance imposing or altering each tax. Such a special initiative procedure shall subject the ordinance imposing or altering the tax to approval or rejection by the voters. If the voters of the county or city otherwise possess the general power of initiative on county or city matters, this special initiative procedure shall conform to the requirements of that procedure. If the voters of a county or city do not otherwise possess the general power of initiative on county or city matters, this special initiative procedure shall conform to the requirements and procedures for initiative petitions provided for code cities in RCW 35A.11.100.

NEW SECTION. Sec. 11. (1) The county treasurer shall place one percent of the proceeds of the taxes imposed under section 9 of this act in the county current expense fund to defray costs of collection.

(2) The remaining proceeds from the county tax under section 9 of this act shall be deposited in the county current expense fund and may be used for any legally authorized purpose. The remaining proceeds from city or town taxes under section 9 of this act shall be distributed to the respective cities and towns monthly and may be used for any legally authorized purpose.

(3) This section does not limit the existing authority of any city, town, or county to impose special assessments on property specially benefited thereby in the manner prescribed by law.

NEW SECTION. Sec. 12. Any tax imposed under section 9 of this act and any interest or penalties thereon is a specific lien upon each piece of real property sold from the time of sale until the tax is paid, which lien may be enforced in the manner prescribed for the foreclosure of mortgages.

NEW SECTION. Sec. 13. The taxes levied under section 9 of this act are the obligation of the seller and may be enforced through an action of debt against the seller or in the manner prescribed for the foreclosure of mortgages. Resort to one course of enforcement is not an election not to pursue the other.

NEW SECTION. Sec. 14. Any taxes imposed under section 9 of this act shall be paid to and collected by the treasurer of the county within which is located the real property which was sold. The treasurer shall act as agent for any city within the

county imposing the tax. The county treasurer shall cause a stamp evidencing satisfaction of the lien to be affixed to the instrument of sale or conveyance prior to its recording or to the real estate excise tax affidavit in the case of used mobile home sales. A receipt issued by the county treasurer for the payment of the tax imposed under section 9 of this act shall be evidence of the satisfaction of the lien imposed in section 12 of this act and may be recorded in the manner prescribed for recording satisfactions of mortgages. No instrument of sale or conveyance evidencing a sale subject to the tax may be accepted by the county auditor for filing or recording until the tax is paid and the stamp affixed thereto; in case the tax is not due on the transfer, the instrument shall not be accepted until suitable notation of this fact is made on the instrument by the treasurer.

Sec. 15. Section 4, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.030 are each amended to read as follows:

(1) The governing body of any county or city while not required by legislative mandate to do so, may, by resolution or ordinance for the purposes authorized by this chapter, fix and impose a sales and use tax in accordance with the terms of this chapter. 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 county or city as the case may be. The rate of such tax imposed by a county shall be five-tenths 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). The rate of such tax imposed by a city shall not exceed five-tenths 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): PROVIDED, HOWEVER, That in the event a county shall impose a sales and use tax under this subsection, the rate of such tax imposed under this subsection by any city therein shall not exceed four hundred and twenty-five one-thousandths of one percent.

(2) Subject to the enactment into law of the 1982 amendment to RCW 82.02-.020 by section 5 of this 1982 act, in addition to the tax authorized in subsection (1) of this section, the governing body of any county or city may by resolution or ordinance impose an additional sales and use tax in accordance with the terms of this chapter. Such additional tax shall be collected upon the same taxable events upon which the tax imposed under subsection (1) of this section is levied. The rate of such additional tax imposed by a county shall be up to five-tenths 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). The rate of such additional tax imposed by a city shall be up to five-tenths 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): PROVIDED HOWEVER, That in the event a county shall impose a sales and use tax under this subsection at a rate equal to or greater than the rate imposed under this subsection by a city within the county, the county shall receive fifteen percent of the city tax: PROVIDED FURTHER, That in the event that the county shall impose a sales and use tax under this subsection at a rate which is less than the rate imposed under this subsection by a city within the county, the county shall receive that amount of revenues from the city tax equal to fifteen percent of the rate of tax imposed by the county under this subsection. The authority to impose a tax under this subsection is intended in part to compensate local government for any losses from the phase-out of the property tax on business inventories.

Sec. 16. Section 5, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.040 are each amended to read as follows:

(1) Any county ordinance adopted ((pursuant to this chapter)) under RCW 82.14.030(1) shall contain, in addition to all other provisions required to conform to this chapter, a provision allowing a credit against the county tax imposed under

RCW 82.14.030(1) for the full amount of any city sales or use tax imposed under RCW 82.14.030(1) upon the same taxable event.

(2) Any county ordinance adopted under RCW 82.14.030(2) shall contain, in addition to all other provisions required to conform to this chapter, a provision allowing a credit against the county tax imposed under RCW 82.14.030(2) for the full amount of any city sales or use tax imposed under RCW 82.14.030(2) upon the same taxable event up to the additional tax imposed by the county under RCW 82.14.030(2).

NEW SECTION. Sec. 17. There is added to chapter 82.14 RCW a new section to read as follows:

Every county and city imposing a tax under section 15(2) of this act shall provide for a special initiative procedure on an ordinance imposing or altering each tax. Such a special initiative procedure shall subject the ordinance imposing or altering the tax to approval or rejection by the voters. If the voters of the county or city otherwise possess the general power of initiative on county or city matters, this special initiative procedure shall conform to the requirements of that procedure. If the voters of a county or city do not otherwise possess the general power of initiative on county or city matters, this special initiative procedure shall conform to the requirements and procedures for initiative petitions provided for code cities in RCW 35A.11.100.

Sec. 18. Section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 4, chapter 175, Laws of 1979 ex. sess. and RCW 82.44.150 are each amended to read as follows:

(1) The director of licensing shall on the twenty-fifth day of February, May, August and November of each year, commencing with November, 1971, advise the state treasurer of the total amount of motor vehicle excise taxes remitted to the department of licensing during the preceding calendar quarter ending on the last day of March, June, September and December, respectively, except for those payable under RCW 82.44.030 and 82.44.070, from motor vehicle owners residing within each municipality which has levied a tax under RCW 35.58.273, which amount of excise taxes shall be determined by the director as follows:

The total amount of motor vehicle excise taxes remitted to the department, except those payable under RCW 82.44.030 and 82.44.070, from each county shall be multiplied by a fraction, the numerator of which is the population of the municipality residing in such county, and the denominator of which is the total population of the county in which such municipality or portion thereof is located. The product of this computation shall be the amount of excise taxes from motor vehicle owners residing within such municipality or portion thereof. Where the municipality levying a tax under RCW 35.58.273 is located in more than one county, the above computation shall be made by county, and the combined products shall provide the total amount of motor vehicle excise taxes from motor vehicle owners residing in the municipality as a whole. Population figures required for these computations shall be supplied to the director by the office of financial management, who shall adjust the fraction annually.

(2) On the first day of the months of January, April, July, and October of each year, the state treasurer based upon information provided by the department of licensing shall make the following apportionment and distribution of motor vehicle excise taxes deposited in the general fund. A sum equal to seventeen percent thereof shall be paid to cities and towns in the proportions and for the purposes hereinafter set forth; a sum equal to two percent of all motor vehicle excise tax receipts shall be allocable to the county sales and use tax equalization account under section 19 of this 1982 act; and a sum equal to seventy percent of all motor vehicle excise tax receipts shall be allocable to the state school equalization fund and credited and transferred each year in the following order of priority:

(a) The amount required and certified by the state finance committee each year as being necessary for payment of principal of and interest on bonds authorized by ~~((chapter 26, Laws of 1963 extraordinary session))~~ RCW 28A.47.760 through 28A.47.774 in the ensuing twelve months and any additional amounts required by the covenants of such bonds shall be transferred from the state school equalization fund to the 1963 public school building bond retirement fund.

(b) Any remaining amounts in the state school equalization fund from the motor vehicle excise taxes not required for debt service on the above bond issues shall be transferred and credited to the general fund.

(3) The amount payable to cities and towns shall be apportioned among the several cities and towns within the state ~~((ratably, on the basis of the population as last determined by the office of financial management)~~) according to the following formula:

(a) Sixty-five percent of the sum specified in subsection (2) of this section to be paid to cities and towns shall be apportioned ratably on the basis of population as last determined by the office of financial management.

(b) Thirty-five percent of the sum specified in subsection (2) of this section to be paid to cities and towns shall be apportioned to cities and towns under section 20 of this 1982 act.

(4) When so apportioned, the amount payable to each such city and town shall be transmitted to the city treasurer thereof, and shall be utilized by such city or town for the purposes of police and fire protection and the preservation of the public health therein, and not otherwise. In case it be adjudged that revenue derived from the excise tax imposed by this chapter cannot lawfully be apportioned or distributed to cities or towns, all moneys directed by this section to be apportioned and distributed to cities and towns shall be credited and transferred to the state general fund.

(5) On the first day of the months of January, April, July, and October of each year, the state treasurer, based upon information provided by the department of licensing, shall remit motor vehicle excise tax revenues imposed and collected under RCW 35.58.273 as follows:

(a) The amount required to be remitted by the state treasurer to the treasurer of any municipality levying the tax shall not exceed in any calendar year the amount of locally-generated tax revenues, excluding the excise tax imposed under RCW 35.58.273 for the purposes of this section, which shall have been budgeted by the municipality to be collected in such calendar year for any public transportation purposes including but not limited to operating costs, capital costs, and debt service on general obligation or revenue bonds issued for these purposes; and

(b) In no event may the amount remitted in a single calendar quarter exceed the amount collected on behalf of the municipality under RCW 35.58.273 during the calendar quarter next preceding the immediately preceding quarter.

(6) At the close of each calendar year accounting period, but not later than April 1, each municipality that has received motor vehicle excise taxes under subsection (5) of this section shall transmit to the director of licensing and the state auditor a written report showing by source the previous year's budgeted tax revenues for public transportation purposes as compared to actual collections. Any municipality that has not submitted the report by April 1 shall cease to be eligible to receive motor vehicle excise taxes under subsection (5) of this section until the report is received by the director of licensing. If a municipality has received more or less money under subsection (5) of this section for the period covered by the report than it is entitled to receive by reason of its locally-generated collected tax revenues, the director of licensing shall, during the next ensuing quarter that the municipality is eligible to receive motor vehicle excise tax funds, increase or decrease the amount to be remitted in an amount equal to the difference between the locally-generated budgeted tax revenues and the locally-generated collected tax revenues. In no event

may the amount remitted for a calendar year exceed the amount collected on behalf of the municipality under RCW 35.58.273 during that same calendar year. At the time of the next fiscal audit of each municipality, the state auditor shall verify the accuracy of the report submitted and notify the director of licensing of any discrepancies.

(7) The motor vehicle excise taxes imposed under RCW 35.58.273 and required to be remitted under this section shall be remitted without legislative appropriation.

(8) Any municipality levying and collecting a tax under RCW 35.58.273 which does not have an operating, public transit system or a contract for public transportation services in effect within one year from the initial effective date of the tax shall return to the state treasurer all motor vehicle excise taxes received under subsection (5) of this section.

NEW SECTION. Sec. 19. There is added to chapter 82.14 RCW a new section to read as follows:

There is created in the state general fund a special account to be known as the "county sales and use tax equalization account." Into this account shall be placed a portion of all motor vehicle excise tax receipts as provided in RCW 82.44.150(2). Funds in this account shall be allocated by the state treasurer according to the following procedure:

(1) Prior to April 1st of each year the director of revenue shall inform the state treasurer of the total and the per capita levels of revenues for the unincorporated area of each county and the state-wide weighted average per capita level of revenues for the unincorporated areas of all counties imposing the sales and use tax authorized under RCW 82.14.030(1) for the previous calendar year.

(2) At such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each county imposing the sales and use tax under RCW 82.14.030(1) at the maximum rate and receiving less than one hundred fifty thousand dollars from the tax for the previous calendar year, an amount from the county sales and use tax equalization account sufficient, when added to the amount of revenues received the previous calendar year by the county, to equal one hundred fifty thousand dollars.

(3) Subsequent to the distributions under subsection (2) of this section and at such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each county imposing the sales and use tax under RCW 82.14.030(1) at the maximum rate and receiving less than seventy percent of the state-wide weighted average per capita level of revenues for the unincorporated areas of all counties as determined by the department of revenue under subsection (1) of this section, an amount from the county sales and use tax equalization account sufficient, when added to the per capita level of revenues for the unincorporated area received the previous calendar year by the county, to equal seventy percent of the state-wide weighted average per capita level of revenues for the unincorporated areas of all counties determined under subsection (1) of this section, subject to reduction under subsections (5) and (6) of this section. When computing distributions under this section, any distribution under subsection (2) of this section shall be considered revenues received from the tax imposed under RCW 82.14.030(1) for the previous calendar year.

(4) Subsequent to the distributions under subsection (3) of this section and at such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each county imposing the sales and use tax under RCW 82.14.030(2) at the maximum rate and receiving a distribution under subsection (3) of this section, a third distribution from the county sales and use tax equalization account. The distribution to each qualifying county shall be equal to the distribution to the county under subsection (3) of this section, subject to

the reduction under subsections (5) and (6) of this section. To qualify for the distributions under this subsection, the county must impose the tax under RCW 82.14.030(2) for the entire calendar year. Counties imposing the tax for less than the full year shall qualify for prorated allocations under this subsection proportionate to the number of months of the year during which the tax is imposed.

(5) Revenues distributed under this section in any calendar year shall not exceed an amount equal to seventy percent of the state-wide weighted average per capita level of revenues for the unincorporated areas of all counties during the previous calendar year. If distributions under subsection (3) or (4) of this section cannot be made because of this limitation, then distributions under subsection (3) or (4) of this section shall be reduced ratably among the qualifying counties.

(6) If inadequate revenues exist in the county sales and use tax equalization account to make the distributions under subsection (3) or (4) of this section, then the distributions under subsection (3) or (4) of this section shall be reduced ratably among the qualifying counties. At such time during the year as additional funds accrue to the county sales and use tax equalization account, additional distributions shall be made under subsections (3) and (4) of this section to the counties.

(7) If the level of revenues in the county sales and use tax equalization account exceeds the amount necessary to make the distributions under subsections (2) through (4) of this section, then the additional revenues shall be credited and transferred to the state general fund.

NEW SECTION. Sec. 20. There is added to chapter 82.14 RCW a new section to read as follows:

There is created in the state general fund a special account to be known as the "municipal sales and use tax equalization account." Into this account shall be placed such revenues as are provided under RCW 82.44.150(3)(b). Funds in this account shall be allocated by the state treasurer according to the following procedure:

(1) Prior to April 1st of each year the director of revenue shall inform the state treasurer of the total and the per capita levels of revenues for each city and the state-wide weighted average per capita level of revenues for all cities imposing the sales and use tax authorized under RCW 82.14.030(1) for the previous calendar year.

(2) At such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each city not imposing the sales and use tax under RCW 82.14.030(2) an amount from the municipal sales and use tax equalization account equal to the amount distributed to the city under RCW 82.44.150(3)(a) multiplied by thirty-five sixty-fifths.

(3) Subsequent to the distributions under subsection (2) of this section, and at such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each city imposing the sales and use tax under RCW 82.14.030(1) at the maximum rate and receiving less than seventy percent of the state-wide weighted average per capita level of revenues for all cities as determined by the department of revenue under subsection (1) of this section, an amount from the municipal sales and use tax equalization account sufficient, when added to the per capita level of revenues received the previous calendar year by the city, to equal seventy percent of the state-wide weighted average per capita level of revenues for all cities determined under subsection (1) of this section, subject to reduction under subsection (5) of this section.

(4) Subsequent to the distributions under subsection (3) of this section, and at such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each city imposing the sales and use tax under RCW 82.14.030(2) at the maximum rate and receiving a distribution under subsection (3) of this section, a third distribution from the municipal sales and use tax equalization account. The distribution to each qualifying city shall be equal

to the distribution to the city under subsection (3) of this section, subject to the reduction under subsection (5) of this section. To qualify for the distributions under this subsection, the city must impose the tax under RCW 82.14.030(2) for the entire calendar year. Cities imposing the tax for less than the full year shall qualify for prorated allocations under this subsection proportionate to the number of months of the year during which the tax is imposed.

(5) If inadequate revenues exist in the municipal sales and use tax equalization account to make the distributions under subsection (3) or (4) of this section, then the distributions under subsection (3) or (4) of this section shall be reduced ratably among the qualifying cities. At such time during the year as additional funds accrue to the municipal sales and use tax equalization account, additional distributions shall be made under subsections (3) and (4) of this section to the cities.

(6) If the level of revenues in the municipal sales and use tax equalization account exceeds the amount necessary to make the distributions under subsections (2) through (4) of this section, then the additional revenues shall be apportioned among the several cities within the state ratably on the basis of population as last determined by the office of financial management: PROVIDED, That no such distribution shall be made to those cities receiving a distribution under subsection (2) of this section.

NEW SECTION. Sec. 21. Sections 2 through 4 and 7 of this act are each added to chapter 35.21 RCW, and sections 9 through 14 of this act shall constitute a new chapter in Title 82 RCW.

NEW SECTION. Sec. 22. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except section 5 of this act shall take effect July 1, 1982."

On page 1, on line 4 of the title, after "82.02.020;" strike the remainder of the title and insert "amending section 4, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.030; amending section 5, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.040; amending section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 4, chapter 175, Laws of 1979 ex. sess. and RCW 82.44.150; adding new sections to chapter 35.21 RCW; adding new sections to chapter 82.14 RCW; adding a new chapter to Title 82 RCW; creating new sections; providing an effective date; and declaring an emergency."

Signed by: Senators Zimmerman, Chairman; Charnley, Fuller, Gould, Lee.

The bill was read the second time by sections.

Senator Zimmerman moved adoption of the committee amendment.

POINT OF ORDER

Senator McCaslin: "Mr. President, as far as this amendment, the committee amendment by Senator Zimmerman, I would ask the President if this would expand the scope and object of the original bill."

MOTION

At 8:21 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 8:34 p.m.

MOTION

On motion of Senator Clarke, Substitute House Bill No. 1014, the pending committee amendment, the Point of Order and Ruling by the President was ordered held until a later time.

MOTIONS

On motion of Senator Clarke, the Senate advanced to the eighth order of business.

On motion of Senator Clarke, the Committee on Local Government was relieved from further consideration of Senate Bill No. 4421.

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 4421 was placed on the second reading calendar.

On motion of Senator Clarke, the Senate returned to the sixth order of business.

On motion of Senator Clarke, the Senate commenced consideration of Senate Bill No. 4421.

SECOND READING

SENATE BILL NO. 4421, by Senators Gould, Bottiger and Zimmerman (by Governor Spellman request):

Authorizing an increase in the local option sales and use tax.

The bill was read the second time by sections.

POINT OF INQUIRY

Senator Bottiger: "Senator Zimmerman, the committee amendment provides for a prohibition on development fees but does authorize a county to impose an excise tax on real estate transactions and also impose a sales tax?"

Senator Zimmerman: "Yes."

Senator Bottiger: "Optional sales tax. So a county like Pierce which does not want to impose the real estate excise tax would not have to?"

Senator Zimmerman: "That is correct. Optional, completely their choice whether they would use optional sales tax or real estate, nothing, whatever."

Senator Zimmerman moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. The legislature hereby recognizes the concern of local governmental entities regarding the financing of vital services to residents of this state. The legislature finds that local governments are an efficient and responsive means of providing these vital services to the citizens of this state. It is the intent of the legislature that vital services such as public safety, public health, and fire protection be recognized by all local governmental entities in this state as top priorities of the citizens of Washington.

NEW SECTION. Sec. 2. (1) No city or town may impose a franchise fee or any other fee or charge of whatever nature or description upon the light and power, telephone, or gas distribution businesses, as defined in RCW 82.16.010, except that (a) a tax authorized by section 3 of this act may be imposed and (b) a fee may be charged to such businesses that recovers actual administrative expenses incurred by a city or town that are directly related to receiving and approving a permit, license, and franchise, to inspecting plans and construction, or to the preparation of a detailed statement pursuant to chapter 43.21C RCW.

(2) Subsection (1) of this section does not prohibit franchise fees imposed on an electrical energy, natural gas, or telephone business, by contract existing on the effective date of this section with a city or town, for the duration of the contract, but the franchise fees shall be considered taxes for the purposes of the limitations established in sections 3 and 4 of this act to the extent the fees exceed the costs allowable under subsection (1) of this section.

NEW SECTION. Sec. 3. No city or town may increase the rate of tax it imposes on the privilege of conducting an electrical energy, natural gas, or telephone business which increase applies to business activities occurring before the effective date of the increase, and no rate change may take effect before the expiration of sixty days following the enactment of the ordinance establishing the change.

NEW SECTION. Sec. 4. (1) No city or town may impose a tax on the privilege of conducting an electrical energy, natural gas, or telephone business at a rate which exceeds six percent unless the rate is approved by a majority of the voters of the city or town voting on the proposition.

(2) If a city or town is imposing a rate of tax under subsection (1) of this section in excess of six percent on the effective date of this section, the city or town shall decrease the rate to a rate of six percent or less by reducing the rate each year before November 1st by an amount equal to the lesser of (a) the weighted average increase in utility rates for the period beginning October 1st of the previous year and ending September 30th of the current year less the increase in the Seattle All Urban Consumer Price Index for the same period, multiplied by the then current tax rate or (b) one-fifth the difference between the tax rate on the effective date of this act and six percent. If the amount determined under (b) of this subsection is less than the amount determined under (a) of this subsection, then one-half of the difference between the amounts determined under (a) and (b) of this subsection shall be added to the amount determined under (a) of this subsection in the following year.

As used in this subsection, "weighted average increase in utility rates" means the percentage increase in utility revenues for each utility expected from application of increases in rates based on the previous year's revenues and service areas within each city or town.

Nothing in this subsection prohibits a city or town from reducing its rates by amounts greater than the amounts required in this subsection.

Voter approved rate increases under subsection (1) of this section shall not be included in the computations under this subsection.

Sec. 5. Section 82.02.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 196, Laws of 1979 ex. sess. and RCW 82.02.020 are each amended to read as follows:

Except only as expressly provided in RCW 67.28.180 and 67.28.190 and the provisions of chapter 82.14 RCW, the state preempts the field of imposing taxes upon retail sales of tangible personal property, the use of tangible personal property, parimutuel wagering authorized pursuant to RCW 67.16.060, conveyances, and cigarettes, and no county, town, or other municipal subdivision shall have the right to impose taxes of that nature. No county, city, town, or other municipal corporation shall impose any tax, fee, or charge, either direct or indirect, on the construction or reconstruction of residential buildings, commercial buildings, industrial buildings, or on any other building or building space or appurtenance thereto, or on the development, subdivision, classification, or reclassification of land. However, this section does not preclude dedications of land or easements pursuant to RCW 58.17.110 within the proposed development or plat which the county, city, town, or other municipal corporation can demonstrate are reasonably necessary as a direct result of the proposed development or plat to which the dedication of land or easement is to apply.

This section does not prohibit voluntary agreements with counties, cities, towns, or other municipal corporations that allow a payment in lieu of a dedication of land or to mitigate a direct impact that has been identified as a consequence of a proposed development, subdivision, or plat: PROVIDED, That any such voluntary agreement shall be subject to the following provisions:

(1) The payment shall be held in a reserve account and may only be expended to fund a capital improvement agreed upon by the parties to mitigate the identified, direct impact;

(2) The payment shall be expended in all cases within five years of collection; and

(3) Any payment not so expended shall be refunded with interest at the rate applied to judgments to the property owners of record at the time of the refund; however, if the payment is not expended within five years due to delay attributable to the developer, the payment shall be refunded without interest.

No county, city, town, or other municipal corporation shall require any payment as part of such a voluntary agreement which the county, city, town, or other municipal corporation cannot establish is reasonably necessary as a direct result of the proposed development or plat.

Nothing in this section prohibits cities, towns, counties, or other municipal corporations from collecting reasonable fees from an applicant for a permit or other governmental approval to cover the cost to the city, town, county, or other municipal corporation of processing applications, inspecting and reviewing plans, or preparing detailed statements required by chapter 43.21C RCW.

This section does not limit the existing authority of any county, city, town, or other municipal corporation to impose special assessments on property specifically benefitted thereby in the manner prescribed by law.

This section prohibits counties, cities, or towns from imposing or permits counties, cities, or towns to impose water, sewer, natural gas, drainage utility, and drainage system charges: PROVIDED, That no such charge shall exceed the proportionate share of such utility or system's capital costs which the county, city, or town can demonstrate are attributable to the property being charged: PROVIDED FURTHER, That these provisions shall not be interpreted to expand or contract any existing authority of counties, cities, or towns to impose such charges.

This section does not apply to special purpose districts formed and acting pursuant to Titles 54, 56, 57, or 87 RCW, nor is the authority conferred by these titles affected.

NEW SECTION. Sec. 6. Nothing in this act precludes the imposition of business and occupation taxes by cities and towns, or of sales and use taxes. However, nothing in this act authorizes the imposition of a business and occupation tax by any county.

NEW SECTION. Sec. 7. The municipal research council shall conduct a survey to determine the various rates of business and occupation taxes in each city and town in the state of Washington. The survey shall use the rates in effect on March 1, 1982. The research council shall provide the results of the survey to the legislature no later than July 1, 1982.

NEW SECTION. Sec. 8. (1) The governing body of any county or any city may impose an excise tax on each sale of real property in the unincorporated areas of the county for the county tax and in the corporate limits of the city for the city tax at a rate not exceeding one-half of one percent of the selling price.

(2) In lieu of imposing the tax authorized in RCW 82.14.030(2), the governing body of any county or any city may impose an additional excise tax on each sale of real property in the unincorporated areas of the county for the county tax and in the corporate limits of the city for the city tax at a rate not exceeding one-half of one percent of the selling price.

(3) Taxes imposed under this section shall be collected from persons who are taxable by the state under chapter 82.45 RCW upon the occurrence of any taxable event within the unincorporated areas of the county or within the corporate limits of the city, as the case may be.

(4) As used in this section, "city" means any city or town.

NEW SECTION. Sec. 9. Every county and city imposing a tax under section 8(2) of this act shall provide for a special initiative procedure on an ordinance imposing or altering each tax. Such a special initiative procedure shall subject the ordinance imposing or altering the tax to approval or rejection by the voters. If the voters of the county or city otherwise possess the general power of initiative on county or city matters, this special initiative procedure shall conform to the requirements of that procedure. If the voters of a county or city do not otherwise possess the general power of initiative on county or city matters, this special initiative procedure shall conform to the requirements and procedures for initiative petitions provided for code cities in RCW 35A.11.100.

NEW SECTION. Sec. 10. (1) The county treasurer shall place one percent of the proceeds of the taxes imposed under section 8 of this act in the county current expense fund to defray costs of collection.

(2) The remaining proceeds from the county tax under section 8 of this act shall be deposited in the county current expense fund and may be used for any legally authorized purpose. The remaining proceeds from city or town taxes under section 8 of this act shall be distributed to the respective cities and towns monthly and may be used for any legally authorized purpose.

(3) This section does not limit the existing authority of any city, town, or county to impose special assessments on property specially benefited thereby in the manner prescribed by law.

NEW SECTION. Sec. 11. Any tax imposed under section 8 of this act and any interest or penalties thereon is a specific lien upon each piece of real property sold from the time of sale until the tax is paid, which lien may be enforced in the manner prescribed for the foreclosure of mortgages.

NEW SECTION. Sec. 12. The taxes levied under section 8 of this act are the obligation of the seller and may be enforced through an action of debt against the seller or in the manner prescribed for the foreclosure of mortgages. Resort to one course of enforcement is not an election not to pursue the other.

NEW SECTION. Sec. 13. Any taxes imposed under section 8 of this act shall be paid to and collected by the treasurer of the county within which is located the real property which was sold. The treasurer shall act as agent for any city within the county imposing the tax. The county treasurer shall cause a stamp evidencing satisfaction of the lien to be affixed to the instrument of sale or conveyance prior to its recording or to the real estate excise tax affidavit in the case of used mobile home sales. A receipt issued by the county treasurer for the payment of the tax imposed under section 8 of this act shall be evidence of the satisfaction of the lien imposed in section 11 of this act and may be recorded in the manner prescribed for recording satisfactions of mortgages. No instrument of sale or conveyance evidencing a sale subject to the tax may be accepted by the county auditor for filing or recording until the tax is paid and the stamp affixed thereto; in case the tax is not due on the transfer, the instrument shall not be accepted until suitable notation of this fact is made on the instrument by the treasurer.

Sec. 14. Section 4, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.030 are each amended to read as follows:

(1) The governing body of any county or city while not required by legislative mandate to do so, may, by resolution or ordinance for the purposes authorized by this chapter, fix and impose a sales and use tax in accordance with the terms of this chapter. 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 county or city as the case may be. The rate of such tax imposed by a county shall be five-tenths 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). The rate of such tax imposed by a city shall not exceed five-tenths 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): PROVIDED, HOWEVER, That in the event a county shall impose a sales and use tax under this subsection, the rate of such tax imposed under this subsection by any city therein shall not exceed four hundred and twenty-five one-thousandths of one percent.

(2) In addition to the tax authorized in subsection (1) of this section, the governing body of any county or city may by resolution or ordinance impose an additional sales and use tax in accordance with the terms of this chapter. Such additional tax shall be collected upon the same taxable events upon which the tax imposed under subsection (1) of this section is levied. The rate of such additional tax imposed by a county shall be up to five-tenths 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). The rate of such additional tax imposed by a city shall be up to five-tenths 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): PROVIDED, HOWEVER, That in the event a county shall impose a sales and use tax under this subsection at a rate equal to or greater than the rate imposed under this subsection by a city within the county, the county shall receive fifteen percent of the city tax: PROVIDED FURTHER, That in the event that the county shall impose a sales and use tax under this subsection at a rate which is less than the rate imposed under this subsection by a city within the county, the county shall receive that amount of revenues from the city tax equal to fifteen percent of the rate of tax imposed by the county under this subsection. The authority to impose a tax under this subsection is intended in part to compensate local government for any losses from the phase-out of the property tax on business inventories.

Sec. 15. Section 5, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.040 are each amended to read as follows:

(1) Any county ordinance adopted ((pursuant to this chapter)) under RCW 82.14.030(1) shall contain, in addition to all other provisions required to conform to this chapter, a provision allowing a credit against the county tax imposed under RCW 82.14.030(1) for the full amount of any city sales or use tax imposed under RCW 82.14.030(1) upon the same taxable event.

(2) Any county ordinance adopted under RCW 82.14.030(2) shall contain, in addition to all other provisions required to conform to this chapter, a provision allowing a credit against the county tax imposed under RCW 82.14.030(2) for the full amount of any city sales or use tax imposed under RCW 82.14.030(2) upon the same taxable event up to the additional tax imposed by the county under RCW 82.14.030(2).

NEW SECTION. Sec. 16. There is added to chapter 82.14 RCW a new section to read as follows:

Every county and city imposing a tax under section 14(2) of this act shall provide for a special initiative procedure on an ordinance imposing or altering each tax. Such a special initiative procedure shall subject the ordinance imposing or altering the tax to approval or rejection by the voters. If the voters of the county or city otherwise possess the general power of initiative on county or city matters, this special initiative procedure shall conform to the requirements of that procedure. If the voters of a county or city do not otherwise possess the general power of initiative on county or city matters, this special initiative procedure shall conform to the requirements and procedures for initiative petitions provided for code cities in RCW 35A.11.100.

Sec. 17. Section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 4, chapter 175, Laws of 1979 ex. sess. and RCW 82.44.150 are each amended to read as follows:

(1) The director of licensing shall on the twenty-fifth day of February, May, August and November of each year, commencing with November, 1971, advise the state treasurer of the total amount of motor vehicle excise taxes remitted to the department of licensing during the preceding calendar quarter ending on the last day of March, June, September and December, respectively, except for those payable under RCW 82.44.030 and 82.44.070, from motor vehicle owners residing within each municipality which has levied a tax under RCW 35.58.273, which amount of excise taxes shall be determined by the director as follows:

The total amount of motor vehicle excise taxes remitted to the department, except those payable under RCW 82.44.030 and 82.44.070, from each county shall be multiplied by a fraction, the numerator of which is the population of the municipality residing in such county, and the denominator of which is the total population of the county in which such municipality or portion thereof is located. The product of this computation shall be the amount of excise taxes from motor vehicle owners residing within such municipality or portion thereof. Where the municipality levying a tax under RCW 35.58.273 is located in more than one county, the above computation shall be made by county, and the combined products shall provide the total amount of motor vehicle excise taxes from motor vehicle owners residing in the municipality as a whole. Population figures required for these computations shall be supplied to the director by the office of financial management, who shall adjust the fraction annually.

(2) On the first day of the months of January, April, July, and October of each year, the state treasurer based upon information provided by the department of licensing shall make the following apportionment and distribution of motor vehicle excise taxes deposited in the general fund. A sum equal to seventeen percent thereof shall be paid to cities and towns in the proportions and for the purposes hereinafter set forth; a sum equal to eleven percent of all motor vehicle excise tax receipts shall be allocable to the county sales and use tax equalization account under section 18 of this 1982 act; and a sum equal to seventy percent of all motor vehicle excise tax receipts shall be allocable to the state school equalization fund and credited and transferred each year in the following order of priority:

(a) The amount required and certified by the state finance committee each year as being necessary for payment of principal of and interest on bonds authorized by ~~((chapter 26, Laws of 1963 extraordinary session))~~ RCW 28A.47.760 through 28A.47.774 in the ensuing twelve months and any additional amounts required by the covenants of such bonds shall be transferred from the state school equalization fund to the 1963 public school building bond retirement fund.

(b) Any remaining amounts in the state school equalization fund from the motor vehicle excise taxes not required for debt service on the above bond issues shall be transferred and credited to the general fund.

(3) The amount payable to cities and towns shall be apportioned among the several cities and towns within the state ~~((ratably, on the basis of the population as last determined by the office of financial management))~~ according to the following formula:

(a) Sixty-five percent of the sum specified in subsection (1) of this section to be paid to cities and towns shall be apportioned ratably on the basis of population as last determined by the office of financial management.

(b) Thirty-five percent of the sum specified in subsection (1) of this section to be paid to cities and towns shall be apportioned to cities and towns under section 19 of this 1982 act.

(4) When so apportioned, the amount payable to each such city and town shall be transmitted to the city treasurer thereof, and shall be utilized by such city or town for the purposes of police and fire protection and the preservation of the public health therein, and not otherwise. In case it be adjudged that revenue derived from

the excise tax imposed by this chapter cannot lawfully be apportioned or distributed to cities or towns, all moneys directed by this section to be apportioned and distributed to cities and towns shall be credited and transferred to the state general fund.

(5) On the first day of the months of January, April, July, and October of each year, the state treasurer, based upon information provided by the department of licensing, shall remit motor vehicle excise tax revenues imposed and collected under RCW 35.58.273 as follows:

(a) The amount required to be remitted by the state treasurer to the treasurer of any municipality levying the tax shall not exceed in any calendar year the amount of locally-generated tax revenues, excluding the excise tax imposed under RCW 35.58.273 for the purposes of this section, which shall have been budgeted by the municipality to be collected in such calendar year for any public transportation purposes including but not limited to operating costs, capital costs, and debt service on general obligation or revenue bonds issued for these purposes; and

(b) In no event may the amount remitted in a single calendar quarter exceed the amount collected on behalf of the municipality under RCW 35.58.273 during the calendar quarter next preceding the immediately preceding quarter.

(6) At the close of each calendar year accounting period, but not later than April 1, each municipality that has received motor vehicle excise taxes under subsection (5) of this section shall transmit to the director of licensing and the state auditor a written report showing by source the previous year's budgeted tax revenues for public transportation purposes as compared to actual collections. Any municipality that has not submitted the report by April 1 shall cease to be eligible to receive motor vehicle excise taxes under subsection (5) of this section until the report is received by the director of licensing. If a municipality has received more or less money under subsection (5) of this section for the period covered by the report than it is entitled to receive by reason of its locally-generated collected tax revenues, the director of licensing shall, during the next ensuing quarter that the municipality is eligible to receive motor vehicle excise tax funds, increase or decrease the amount to be remitted in an amount equal to the difference between the locally-generated budgeted tax revenues and the locally-generated collected tax revenues. In no event may the amount remitted for a calendar year exceed the amount collected on behalf of the municipality under RCW 35.58.273 during that same calendar year. At the time of the next fiscal audit of each municipality, the state auditor shall verify the accuracy of the report submitted and notify the director of licensing of any discrepancies.

(7) The motor vehicle excise taxes imposed under RCW 35.58.273 and required to be remitted under this section shall be remitted without legislative appropriation.

(8) Any municipality levying and collecting a tax under RCW 35.58.273 which does not have an operating, public transit system or a contract for public transportation services in effect within one year from the initial effective date of the tax shall return to the state treasurer all motor vehicle excise taxes received under subsection (5) of this section.

NEW SECTION. Sec. 18. There is added to chapter 82.14 RCW a new section to read as follows:

There is created in the state general fund a special account to be known as the "county sales and use tax equalization account." Into this account shall be placed a portion of all motor vehicle excise tax receipts as provided in RCW 82.44.150(2). Funds in this account shall be allocated by the state treasurer according to the following procedure:

(1) Prior to April 1st of each year the director of revenue shall inform the state treasurer of the total and the per capita levels of revenues for the unincorporated

area of each county, the state-wide weighted average per capita level of revenues for the unincorporated areas of all counties, and the state-wide weighted average per county level of revenues for the unincorporated levels of all counties imposing the sales and use tax authorized under RCW 82.14.030(1) for the previous calendar year.

(2) At such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each county imposing the sales and use tax under RCW 82.14.030(1) at the maximum rate and receiving less than one hundred fifty thousand dollars from the tax for the previous calendar year, an amount from the county sales and use tax equalization account sufficient, when added to the amount of revenues received the previous calendar year by the county, to equal one hundred fifty thousand dollars.

(3) Subsequent to the distributions under subsection (2) of this section and at such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each county imposing the sales and use tax under RCW 82.14.030(1) at the maximum rate and receiving less than eighty percent of the state-wide weighted average per capita level of revenues for the unincorporated areas of all counties as determined by the department of revenue under subsection (1) of this section, an amount from the county sales and use tax equalization account sufficient, when added to the per capita level of revenues for the unincorporated area received the previous calendar year by the county, to equal eighty percent of the state-wide weighted average per capita level of revenues for the unincorporated areas of all counties determined under subsection (1) of this section, subject to reduction under subsections (5) and (6) of this section. When computing distributions under this section, any distribution under subsection (2) of this section shall be considered revenues received from the tax imposed under RCW 82.14.030(1) for the previous calendar year.

(4) Subsequent to the distributions under subsection (3) of this section and at such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each county imposing the sales and use tax under RCW 82.14.030(2) at the maximum rate and receiving a distribution under subsection (3) of this section, a third distribution from the county sales and use tax equalization account. The distribution to each qualifying county shall be equal to the distribution to the county under subsection (3) of this section, subject to the reduction under subsections (5) and (6) of this section. To qualify for the distributions under this subsection, the county must impose the tax under RCW 82.14.030(2) for the entire calendar year. Counties imposing the tax for less than the full year shall qualify for prorated allocations under this subsection proportionate to the number of months of the year during which the tax is imposed.

(5) Revenues distributed under this section in any calendar year shall not exceed an amount equal to eighty percent of the state-wide weighted average per county level of revenues for the unincorporated areas of all counties during the previous calendar year. If distributions under subsection (3) or (4) of this section cannot be made because of this limitation, then distributions under subsection (3) or (4) of this section shall be reduced ratably among the qualifying counties.

(6) If inadequate revenues exist in the county sales and use tax equalization account to make the distributions under subsection (3) or (4) of this section, then the distributions under subsection (3) or (4) of this section shall be reduced ratably among the qualifying counties. At such time during the year as additional funds accrue to the county sales and use tax equalization account, additional distributions shall be made under subsections (3) and (4) of this section to the counties.

(7) If the level of revenues in the county sales and use tax equalization account exceeds the amount necessary to make the distributions under subsections (2) through (4) of this section, then the additional revenues shall be credited and transferred to the state general fund.

NEW SECTION. Sec. 19. There is added to chapter 82.14 RCW a new section to read as follows:

There is created in the state general fund a special account to be known as the "municipal sales and use tax equalization account." Into this account shall be placed such revenues as are provided under RCW 82.44.150(3)(b). Funds in this account shall be allocated by the state treasurer according to the following procedure:

(1) Prior to April 1st of each year the director of revenue shall inform the state treasurer of the total and the per capita levels of revenues for each city and the state-wide weighted average per capita level of revenues for all cities imposing the sales and use tax authorized under RCW 82.14.030(1) for the previous calendar year.

(2) At such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each city not imposing the sales and use tax under RCW 82.14.030(2) an amount from the municipal sales and use tax equalization account equal to the amount distributed to the city under RCW 82.44.150(3)(a) multiplied by thirty-five sixty-fifths.

(3) Subsequent to the distributions under subsection (2) of this section, and at such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each city imposing the sales and use tax under RCW 82.14.030(1) at the maximum rate and receiving less than seventy percent of the state-wide weighted average per capita level of revenues for all cities as determined by the department of revenue under subsection (1) of this section, an amount from the municipal sales and use tax equalization account sufficient, when added to the per capita level of revenues received the previous calendar year by the city, to equal seventy percent of the state-wide weighted average per capita level of revenues for all cities determined under subsection (1) of this section, subject to reduction under subsection (5) of this section.

(4) Subsequent to the distributions under subsection (3) of this section, and at such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each city imposing the sales and use tax under RCW 82.14.030(2) at the maximum rate and receiving a distribution under subsection (3) of this section, a third distribution from the municipal sales and use tax equalization account. The distribution to each qualifying city shall be equal to the distribution to the city under subsection (3) of this section, subject to the reduction under subsection (5) of this section. To qualify for the distributions under this subsection, the city must impose the tax under RCW 82.14.030(2) for the entire calendar year. Cities imposing the tax for less than the full year shall qualify for prorated allocations under this subsection proportionate to the number of months of the year during which the tax is imposed.

(5) If inadequate revenues exist in the municipal sales and use tax equalization account to make the distributions under subsection (3) or (4) of this section, then the distributions under subsection (3) or (4) of this section shall be reduced ratably among the qualifying cities. At such time during the year as additional funds accrue to the municipal sales and use tax equalization account, additional distributions shall be made under subsections (3) and (4) of this section to the cities.

(6) If the level of revenues in the municipal sales and use tax equalization account exceeds the amount necessary to make the distributions under subsections (2) through (4) of this section, then the additional revenues shall be apportioned among the several cities within the state ratably on the basis of population as last determined by the office of financial management.

NEW SECTION. Sec. 20. If any part of this act is not enacted into law or if any part of the act is held invalid, the entire act shall be null and void.

NEW SECTION. Sec. 21. Sections 2 through 4 of this act are each added to chapter 35.21 RCW, and sections 8 through 13 of this act shall constitute a new chapter in Title 82 RCW.

NEW SECTION. Sec. 22. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except section 5 of this act shall take effect July 1, 1982."

Senator Zimmerman moved adoption of the following amendment to the amendment by Senator Zimmerman:

On page 4, beginning on line 18, strike all of section 5. Renumber the remaining subsections consecutively.

MOTION

At 8:55 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 9:30 p.m.

MOTION

On motion of Senator Zimmerman, there being no objection, the amendment to the amendment by Senator Zimmerman was withdrawn.

POINT OF ORDER

Senator McCaslin: "Mr. President, I rise reluctantly to raise scope and object. The striking amendment contains up front development fees whereas Engrossed Substitute Senate Bill 4421 does not."

MOTIONS

On motion of Senator Clarke, the Senate advanced to the eighth order of business.

On motion of Senator Zimmerman, the Committee on Local Government was relieved from further consideration of Senate Bill No. 4972.

On motion of Senator Zimmerman, the rules were suspended and Senate Bill No. 4972 was placed on second reading.

SECOND READING

SENATE BILL NO. 4972, by Senator Zimmerman:

Relating to local government finance.

The bill was read the second time by sections.

Senator Zimmerman moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. The legislature hereby recognizes the concern of local governmental entities regarding the financing of vital services to residents of this state. The legislature finds that local governments are an efficient and responsive means of providing these vital services to the citizens of this state. It is the intent of the legislature that vital services such as public safety, public health, and fire protection be recognized by all local governmental entities in this state as top priorities of the citizens of Washington.

NEW SECTION. Sec. 2. (1) No city or town may impose a franchise fee or any other fee or charge of whatever nature or description upon the light and power, telephone, or gas distribution businesses, as defined in RCW 82.16.010, except that (a) a tax authorized by section 3 of this act may be imposed and (b) a fee may be charged to such businesses that recovers actual administrative expenses incurred by a city or town that are directly related to receiving and approving a permit, license, and franchise, to inspecting plans and construction, or to the preparation of a detailed statement pursuant to chapter 43.21C RCW.

(2) Subsection (1) of this section does not prohibit franchise fees imposed on an electrical energy, natural gas, or telephone business, by contract existing on the effective date of this section with a city or town, for the duration of the contract, but the franchise fees shall be considered taxes for the purposes of the limitations established in sections 3 and 4 of this act to the extent the fees exceed the costs allowable under subsection (1) of this section.

NEW SECTION. Sec. 3. No city or town may increase the rate of tax it imposes on the privilege of conducting an electrical energy, natural gas, or telephone business which increase applies to business activities occurring before the effective date of the increase, and no rate change may take effect before the expiration of sixty days following the enactment of the ordinance establishing the change.

NEW SECTION. Sec. 4. (1) Subject to the enactment into law of the 1982 amendment to RCW 82.02.020 by section 5 of this act, no city or town may impose a tax on the privilege of conducting an electrical energy, natural gas, or telephone business at a rate which exceeds six percent unless the rate is approved by a majority of the voters of the city or town voting on the proposition.

(2) Subject to the enactment into law of the 1982 amendment to RCW 82.02-.020 by section 5 of this act, if a city or town is imposing a rate of tax under subsection (1) of this section in excess of six percent on the effective date of this section, the city or town shall decrease the rate to a rate of six percent or less by reducing the rate each year before November 1st by an amount equal to the lesser of (a) the weighted average increase in utility rates for the period beginning October 1st of the previous year and ending September 30th of the current year less the increase in the Seattle All Urban Consumer Price Index for the same period, multiplied by the then current tax rate or (b) one-fifth the difference between the tax rate on the effective date of this section and six percent. If the amount determined under (b) of this subsection is less than the amount determined under (a) of this subsection, then one-half of the difference between the amounts determined under (a) and (b) of this

subsection shall be added to the amount determined under (a) of this subsection in the following year.

As used in this subsection, "weighted average increase in utility rates" means the percentage increase in utility revenues for each utility expected from application of increases in rates based on the previous year's revenues and service areas within each city or town.

Nothing in this subsection prohibits a city or town from reducing its rates by amounts greater than the amounts required in this subsection.

Voter approved rate increases under subsection (1) of this section shall not be included in the computations under this subsection.

Sec. 5. Section 82.02.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 196, Laws of 1979 ex. sess. and RCW 82.02.020 are each amended to read as follows:

Except only as expressly provided in RCW 67.28.180 and 67.28.190 and the provisions of chapter 82.14 RCW, the state preempts the field of imposing taxes upon retail sales of tangible personal property, the use of tangible personal property, parimutuel wagering authorized pursuant to RCW 67.16.060; conveyances, and cigarettes, and no county, town, or other municipal subdivision shall have the right to impose taxes of that nature. No county, city, town, or other municipal corporation shall impose any tax, fee, or charge, either direct or indirect, on the construction or reconstruction of residential buildings, commercial buildings, industrial buildings, or on any other building or building space or appurtenance thereto, or on the development, subdivision, classification, or reclassification of land. However, this section does not preclude dedications of land or easements pursuant to RCW 58.17.110 within the proposed development or plat which the county, city, town, or other municipal corporation can demonstrate are reasonably necessary as a direct result of the proposed development or plat to which the dedication of land or easement is to apply.

This section does not prohibit voluntary agreements with counties, cities, towns, or other municipal corporations that allow a payment in lieu of a dedication of land or to mitigate a direct impact that has been identified as a consequence of a proposed development, subdivision, or plat: PROVIDED, That any such voluntary agreement shall be subject to the following provisions:

(1) The payment shall be held in a reserve account and may only be expended to fund a capital improvement agreed upon by the parties to mitigate the identified, direct impact;

(2) The payment shall be expended in all cases within five years of collection; and

(3) Any payment not so expended shall be refunded with interest at the rate applied to judgments to the property owners of record at the time of the refund; however, if the payment is not expended within five years due to delay attributable to the developer, the payment shall be refunded without interest.

No county, city, town, or other municipal corporation shall require any payment as part of such a voluntary agreement which the county, city, town, or other municipal corporation cannot establish is reasonably necessary as a direct result of the proposed development or plat.

Nothing in this section prohibits cities, towns, counties, or other municipal corporations from collecting reasonable fees from an applicant for a permit or other governmental approval to cover the cost to the city, town, county, or other municipal corporation of processing applications, inspecting and reviewing plans, or preparing detailed statements required by chapter 43.21C RCW.

This section does not limit the existing authority of any county, city, town, or other municipal corporation to impose special assessments on property specifically benefitted thereby in the manner prescribed by law.

Nothing in this section prohibits counties, cities, or towns from imposing or permits counties, cities, or towns to impose water, sewer, natural gas, drainage utility, and drainage system charges: PROVIDED, That no such charge shall exceed the proportionate share of such utility or system's capital costs which the county, city, or town can demonstrate are attributable to the property being charged: PROVIDED FURTHER, That these provisions shall not be interpreted to expand or contract any existing authority of counties, cities, or towns to impose such charges.

This section does not apply to special purpose districts formed and acting pursuant to Titles 54, 56, 57, or 87 RCW, nor is the authority conferred by these titles affected.

NEW SECTION. Sec. 6. Nothing in this act precludes the imposition of business and occupation taxes by cities and towns, or of sales and use taxes. However, nothing in this act authorizes the imposition of a business and occupation tax by any county.

NEW SECTION. Sec. 7. Every city and town first imposing a business and occupation tax or increasing the rate of the tax after the effective date of this section shall provide for a special initiative procedure on an ordinance imposing or altering each tax. Such a special initiative procedure shall subject the ordinance imposing or altering the tax to approval or rejection by the voters. If the voters of the city or town otherwise possess the general power of initiative on city or town matters, this special initiative procedure shall conform to the requirements of that procedure. If the voters of a city or town do not otherwise possess the general power of initiative on city or town matters, this special initiative procedure shall conform to the requirements and procedures for initiative petitions provided for code cities in RCW 35A.11.100.

NEW SECTION. Sec. 8. The municipal research council shall conduct a survey to determine the various rates of business and occupation taxes in each city and town in the state of Washington. The survey shall use the rates in effect on March 1, 1982. The research council shall provide the results of the survey to the legislature no later than July 1, 1982.

NEW SECTION. Sec. 9. (1) Subject to the enactment into law of the 1982 amendment to RCW 82.02.020 by section 5 of this act, the governing body of any county or any city may impose an excise tax on each sale of real property in the unincorporated areas of the county for the county tax and in the corporate limits of the city for the city tax at a rate not exceeding one-half of one percent of the selling price.

(2) Subject to the enactment into law of the 1982 amendment to RCW 82.02-.020 by section 5 of this act, in lieu of imposing the tax authorized in RCW 82.14.030(2), the governing body of any county or any city may impose an additional excise tax on each sale of real property in the unincorporated areas of the county for the county tax and in the corporate limits of the city for the city tax at a rate not exceeding one-half of one percent of the selling price.

(3) Taxes imposed under this section shall be collected from persons who are taxable by the state under chapter 82.45 RCW upon the occurrence of any taxable event within the unincorporated areas of the county or within the corporate limits of the city, as the case may be.

(4) Taxes imposed under this section shall comply with all applicable rules, regulations, laws, and court decisions regarding real estate excise taxes as imposed by the state under chapter 82.45 RCW.

(5) As used in this section, "city" means any city or town.

NEW SECTION. Sec. 10. Every county and city imposing a tax under section 9(2) of this act shall provide for a special initiative procedure on an ordinance imposing or altering each tax. Such a special initiative procedure shall subject the ordinance imposing or altering the tax to approval or rejection by the voters. If the

voters of the county or city otherwise possess the general power of initiative on county or city matters, this special initiative procedure shall conform to the requirements of that procedure. If the voters of a county or city do not otherwise possess the general power of initiative on county or city matters, this special initiative procedure shall conform to the requirements and procedures for initiative petitions provided for code cities in RCW 35A.11.100.

NEW SECTION. Sec. 11. (1) The county treasurer shall place one percent of the proceeds of the taxes imposed under section 9 of this act in the county current expense fund to defray costs of collection.

(2) The remaining proceeds from the county tax under section 9 of this act shall be deposited in the county current expense fund and may be used for any legally authorized purpose. The remaining proceeds from city or town taxes under section 9 of this act shall be distributed to the respective cities and towns monthly and may be used for any legally authorized purpose.

(3) This section does not limit the existing authority of any city, town, or county to impose special assessments on property specially benefited thereby in the manner prescribed by law.

NEW SECTION. Sec. 12. Any tax imposed under section 9 of this act and any interest or penalties thereon is a specific lien upon each piece of real property sold from the time of sale until the tax is paid, which lien may be enforced in the manner prescribed for the foreclosure of mortgages.

NEW SECTION. Sec. 13. The taxes levied under section 9 of this act are the obligation of the seller and may be enforced through an action of debt against the seller or in the manner prescribed for the foreclosure of mortgages. Resort to one course of enforcement is not an election not to pursue the other.

NEW SECTION. Sec. 14. Any taxes imposed under section 9 of this act shall be paid to and collected by the treasurer of the county within which is located the real property which was sold. The treasurer shall act as agent for any city within the county imposing the tax. The county treasurer shall cause a stamp evidencing satisfaction of the lien to be affixed to the instrument of sale or conveyance prior to its recording or to the real estate excise tax affidavit in the case of used mobile home sales. A receipt issued by the county treasurer for the payment of the tax imposed under section 9 of this act shall be evidence of the satisfaction of the lien imposed in section 12 of this act and may be recorded in the manner prescribed for recording satisfactions of mortgages. No instrument of sale or conveyance evidencing a sale subject to the tax may be accepted by the county auditor for filing or recording until the tax is paid and the stamp affixed thereto; in case the tax is not due on the transfer, the instrument shall not be accepted until suitable notation of this fact is made on the instrument by the treasurer.

Sec. 15. Section 4, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.030 are each amended to read as follows:

(1) The governing body of any county or city while not required by legislative mandate to do so, may, by resolution or ordinance for the purposes authorized by this chapter, fix and impose a sales and use tax in accordance with the terms of this chapter. 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 county or city as the case may be. The rate of such tax imposed by a county shall be five-tenths 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). The rate of such tax imposed by a city shall not exceed five-tenths 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); **PROVIDED, HOWEVER,** That in the event a county shall impose a sales and use tax under this subsection, the rate of such tax imposed under this subsection by any city

therein shall not exceed four hundred and twenty-five one-thousandths of one percent.

(2) Subject to the enactment into law of the 1982 amendment to RCW 82.02-.020 by section 5 of this 1982 act, in addition to the tax authorized in subsection (1) of this section, the governing body of any county or city may by resolution or ordinance impose an additional sales and use tax in accordance with the terms of this chapter. Such additional tax shall be collected upon the same taxable events upon which the tax imposed under subsection (1) of this section is levied. The rate of such additional tax imposed by a county shall be up to five-tenths 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). The rate of such additional tax imposed by a city shall be up to five-tenths 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): PROVIDED HOWEVER, That in the event a county shall impose a sales and use tax under this subsection at a rate equal to or greater than the rate imposed under this subsection by a city within the county, the county shall receive fifteen percent of the city tax: PROVIDED FURTHER, That in the event that the county shall impose a sales and use tax under this subsection at a rate which is less than the rate imposed under this subsection by a city within the county, the county shall receive that amount of revenues from the city tax equal to fifteen percent of the rate of tax imposed by the county under this subsection. The authority to impose a tax under this subsection is intended in part to compensate local government for any losses from the phase-out of the property tax on business inventories.

Sec. 16. Section 5, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.040 are each amended to read as follows:

(1) Any county ordinance adopted ((pursuant to this chapter)) under RCW 82.14.030(1) shall contain, in addition to all other provisions required to conform to this chapter, a provision allowing a credit against the county tax imposed under RCW 82.14.030(1) for the full amount of any city sales or use tax imposed under RCW 82.14.030(1) upon the same taxable event.

(2) Any county ordinance adopted under RCW 82.14.030(2) shall contain, in addition to all other provisions required to conform to this chapter, a provision allowing a credit against the county tax imposed under RCW 82.14.030(2) for the full amount of any city sales or use tax imposed under RCW 82.14.030(2) upon the same taxable event up to the additional tax imposed by the county under RCW 82.14.030(2).

NEW SECTION. Sec. 17. There is added to chapter 82.14 RCW a new section to read as follows:

Every county and city imposing a tax under section 15(2) of this act shall provide for a special initiative procedure on an ordinance imposing or altering each tax. Such a special initiative procedure shall subject the ordinance imposing or altering the tax to approval or rejection by the voters. If the voters of the county or city otherwise possess the general power of initiative on county or city matters, this special initiative procedure shall conform to the requirements of that procedure. If the voters of a county or city do not otherwise possess the general power of initiative on county or city matters, this special initiative procedure shall conform to the requirements and procedures for initiative petitions provided for code cities in RCW 35A.11.100.

Sec. 18. Section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 4, chapter 175, Laws of 1979 ex. sess. and RCW 82.44.150 are each amended to read as follows:

(1) The director of licensing shall on the twenty-fifth day of February, May, August and November of each year, commencing with November, 1971, advise the state treasurer of the total amount of motor vehicle excise taxes remitted to the

department of licensing during the preceding calendar quarter ending on the last day of March, June, September and December, respectively, except for those payable under RCW 82.44.030 and 82.44.070, from motor vehicle owners residing within each municipality which has levied a tax under RCW 35.58.273, which amount of excise taxes shall be determined by the director as follows:

The total amount of motor vehicle excise taxes remitted to the department, except those payable under RCW 82.44.030 and 82.44.070, from each county shall be multiplied by a fraction, the numerator of which is the population of the municipality residing in such county, and the denominator of which is the total population of the county in which such municipality or portion thereof is located. The product of this computation shall be the amount of excise taxes from motor vehicle owners residing within such municipality or portion thereof. Where the municipality levying a tax under RCW 35.58.273 is located in more than one county, the above computation shall be made by county, and the combined products shall provide the total amount of motor vehicle excise taxes from motor vehicle owners residing in the municipality as a whole. Population figures required for these computations shall be supplied to the director by the office of financial management, who shall adjust the fraction annually.

(2) On the first day of the months of January, April, July, and October of each year, the state treasurer based upon information provided by the department of licensing shall make the following apportionment and distribution of motor vehicle excise taxes deposited in the general fund. A sum equal to seventeen percent thereof shall be paid to cities and towns in the proportions and for the purposes hereinafter set forth; a sum equal to two percent of all motor vehicle excise tax receipts shall be allocable to the county sales and use tax equalization account under section 19 of this 1982 act; and a sum equal to seventy percent of all motor vehicle excise tax receipts shall be allocable to the state school equalization fund and credited and transferred each year in the following order of priority:

(a) The amount required and certified by the state finance committee each year as being necessary for payment of principal of and interest on bonds authorized by ~~((chapter 26, Laws of 1963 extraordinary session))~~ RCW 28A.47.760 through 28A.47.774 in the ensuing twelve months and any additional amounts required by the covenants of such bonds shall be transferred from the state school equalization fund to the 1963 public school building bond retirement fund.

(b) Any remaining amounts in the state school equalization fund from the motor vehicle excise taxes not required for debt service on the above bond issues shall be transferred and credited to the general fund.

(3) The amount payable to cities and towns shall be apportioned among the several cities and towns within the state ~~((ratably, on the basis of the population as last determined by the office of financial management))~~ according to the following formula:

(a) Sixty-five percent of the sum specified in subsection (2) of this section to be paid to cities and towns shall be apportioned ratably on the basis of population as last determined by the office of financial management.

(b) Thirty-five percent of the sum specified in subsection (2) of this section to be paid to cities and towns shall be apportioned to cities and towns under section 20 of this 1982 act.

(4) When so apportioned, the amount payable to each such city and town shall be transmitted to the city treasurer thereof, and shall be utilized by such city or town for the purposes of police and fire protection and the preservation of the public health therein, and not otherwise. In case it be adjudged that revenue derived from the excise tax imposed by this chapter cannot lawfully be apportioned or distributed to cities or towns, all moneys directed by this section to be apportioned and distributed to cities and towns shall be credited and transferred to the state general fund.

(5) On the first day of the months of January, April, July, and October of each year, the state treasurer, based upon information provided by the department of licensing, shall remit motor vehicle excise tax revenues imposed and collected under RCW 35.58.273 as follows:

(a) The amount required to be remitted by the state treasurer to the treasurer of any municipality levying the tax shall not exceed in any calendar year the amount of locally-generated tax revenues, excluding the excise tax imposed under RCW 35.58.273 for the purposes of this section, which shall have been budgeted by the municipality to be collected in such calendar year for any public transportation purposes including but not limited to operating costs, capital costs, and debt service on general obligation or revenue bonds issued for these purposes; and

(b) In no event may the amount remitted in a single calendar quarter exceed the amount collected on behalf of the municipality under RCW 35.58.273 during the calendar quarter next preceding the immediately preceding quarter.

(6) At the close of each calendar year accounting period, but not later than April 1, each municipality that has received motor vehicle excise taxes under subsection (5) of this section shall transmit to the director of licensing and the state auditor a written report showing by source the previous year's budgeted tax revenues for public transportation purposes as compared to actual collections. Any municipality that has not submitted the report by April 1 shall cease to be eligible to receive motor vehicle excise taxes under subsection (5) of this section until the report is received by the director of licensing. If a municipality has received more or less money under subsection (5) of this section for the period covered by the report than it is entitled to receive by reason of its locally-generated collected tax revenues, the director of licensing shall, during the next ensuing quarter that the municipality is eligible to receive motor vehicle excise tax funds, increase or decrease the amount to be remitted in an amount equal to the difference between the locally-generated budgeted tax revenues and the locally-generated collected tax revenues. In no event may the amount remitted for a calendar year exceed the amount collected on behalf of the municipality under RCW 35.58.273 during that same calendar year. At the time of the next fiscal audit of each municipality, the state auditor shall verify the accuracy of the report submitted and notify the director of licensing of any discrepancies.

(7) The motor vehicle excise taxes imposed under RCW 35.58.273 and required to be remitted under this section shall be remitted without legislative appropriation.

(8) Any municipality levying and collecting a tax under RCW 35.58.273 which does not have an operating, public transit system or a contract for public transportation services in effect within one year from the initial effective date of the tax shall return to the state treasurer all motor vehicle excise taxes received under subsection (5) of this section.

NEW SECTION. Sec. 19. There is added to chapter 82.14 RCW a new section to read as follows:

There is created in the state general fund a special account to be known as the "county sales and use tax equalization account." Into this account shall be placed a portion of all motor vehicle excise tax receipts as provided in RCW 82.44.150(2). Funds in this account shall be allocated by the state treasurer according to the following procedure:

(1) Prior to April 1st of each year the director of revenue shall inform the state treasurer of the total and the per capita levels of revenues for the unincorporated area of each county and the state-wide weighted average per capita level of revenues for the unincorporated areas of all counties imposing the sales and use tax authorized under RCW 82.14.030(1) for the previous calendar year.

(2) At such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each county imposing the

sales and use tax under RCW 82.14.030(1) at the maximum rate and receiving less than one hundred fifty thousand dollars from the tax for the previous calendar year, an amount from the county sales and use tax equalization account sufficient, when added to the amount of revenues received the previous calendar year by the county, to equal one hundred fifty thousand dollars.

(3) Subsequent to the distributions under subsection (2) of this section and at such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each county imposing the sales and use tax under RCW 82.14.030(1) at the maximum rate and receiving less than seventy percent of the state-wide weighted average per capita level of revenues for the unincorporated areas of all counties as determined by the department of revenue under subsection (1) of this section, an amount from the county sales and use tax equalization account sufficient, when added to the per capita level of revenues for the unincorporated area received the previous calendar year by the county, to equal seventy percent of the state-wide weighted average per capita level of revenues for the unincorporated areas of all counties determined under subsection (1) of this section, subject to reduction under subsections (5) and (6) of this section. When computing distributions under this section, any distribution under subsection (2) of this section shall be considered revenues received from the tax imposed under RCW 82.14.030(1) for the previous calendar year.

(4) Subsequent to the distributions under subsection (3) of this section and at such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each county imposing the sales and use tax under RCW 82.14.030(2) at the maximum rate and receiving a distribution under subsection (3) of this section, a third distribution from the county sales and use tax equalization account. The distribution to each qualifying county shall be equal to the distribution to the county under subsection (3) of this section, subject to the reduction under subsections (5) and (6) of this section. To qualify for the distributions under this subsection, the county must impose the tax under RCW 82.14.030(2) for the entire calendar year. Counties imposing the tax for less than the full year shall qualify for prorated allocations under this subsection proportionate to the number of months of the year during which the tax is imposed.

(5) Revenues distributed under this section in any calendar year shall not exceed an amount equal to seventy percent of the state-wide weighted average per capita level of revenues for the unincorporated areas of all counties during the previous calendar year. If distributions under subsection (3) or (4) of this section cannot be made because of this limitation, then distributions under subsection (3) or (4) of this section shall be reduced ratably among the qualifying counties.

(6) If inadequate revenues exist in the county sales and use tax equalization account to make the distributions under subsection (3) or (4) of this section, then the distributions under subsection (3) or (4) of this section shall be reduced ratably among the qualifying counties. At such time during the year as additional funds accrue to the county sales and use tax equalization account, additional distributions shall be made under subsections (3) and (4) of this section to the counties.

(7) If the level of revenues in the county sales and use tax equalization account exceeds the amount necessary to make the distributions under subsections (2) through (4) of this section, then the additional revenues shall be credited and transferred to the state general fund.

NEW SECTION. Sec. 20. There is added to chapter 82.14 RCW a new section to read as follows:

There is created in the state general fund a special account to be known as the "municipal sales and use tax equalization account." Into this account shall be placed such revenues as are provided under RCW 82.44.150(3)(b). Funds in this account shall be allocated by the state treasurer according to the following procedure:

(1) Prior to April 1st of each year the director of revenue shall inform the state treasurer of the total and the per capita levels of revenues for each city and the state-wide weighted average per capita level of revenues for all cities imposing the sales and use tax authorized under RCW 82.14.030(1) for the previous calendar year.

(2) At such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each city not imposing the sales and use tax under RCW 82.14.030(2) an amount from the municipal sales and use tax equalization account equal to the amount distributed to the city under RCW 82.44.150(3)(a) multiplied by thirty-five sixty-fifths.

(3) Subsequent to the distributions under subsection (2) of this section, and at such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each city imposing the sales and use tax under RCW 82.14.030(1) at the maximum rate and receiving less than seventy percent of the state-wide weighted average per capita level of revenues for all cities as determined by the department of revenue under subsection (1) of this section, an amount from the municipal sales and use tax equalization account sufficient, when added to the per capita level of revenues received the previous calendar year by the city, to equal seventy percent of the state-wide weighted average per capita level of revenues for all cities determined under subsection (1) of this section, subject to reduction under subsection (5) of this section.

(4) Subsequent to the distributions under subsection (3) of this section, and at such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each city imposing the sales and use tax under RCW 82.14.030(2) at the maximum rate and receiving a distribution under subsection (3) of this section, a third distribution from the municipal sales and use tax equalization account. The distribution to each qualifying city shall be equal to the distribution to the city under subsection (3) of this section, subject to the reduction under subsection (5) of this section. To qualify for the distributions under this subsection, the city must impose the tax under RCW 82.14.030(2) for the entire calendar year. Cities imposing the tax for less than the full year shall qualify for prorated allocations under this subsection proportionate to the number of months of the year during which the tax is imposed.

(5) If inadequate revenues exist in the municipal sales and use tax equalization account to make the distributions under subsection (3) or (4) of this section, then the distributions under subsection (3) or (4) of this section shall be reduced ratably among the qualifying cities. At such time during the year as additional funds accrue to the municipal sales and use tax equalization account, additional distributions shall be made under subsections (3) and (4) of this section to the cities.

(6) If the level of revenues in the municipal sales and use tax equalization account exceeds the amount necessary to make the distributions under subsections (2) through (4) of this section, then the additional revenues shall be apportioned among the several cities within the state ratably on the basis of population as last determined by the office of financial management: PROVIDED, That no such distribution shall be made to those cities receiving a distribution under subsection (2) of this section.

NEW SECTION. Sec. 21. Sections 2 through 4 and 7 of this act are each added to chapter 35.21 RCW, and sections 9 through 14 of this act shall constitute a new chapter in Title 82 RCW.

NEW SECTION. Sec. 22. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except section 5 of this act shall take effect July 1, 1982."

Senator Zimmerman moved adoption of the following amendment to the amendment by Senator Zimmerman:

On page 9, line 3, after "exceeding" strike "one-half" and insert "one-quarter"

POINT OF INQUIRY

Senator Guess: "Senator Zimmerman, the question now is, who pays the quarter of one percent?"

Senator Zimmerman: "The quarter of one percent would usually be paid by the seller as he is making the transaction papers. He has a hundred thousand dollar home and he has it for sale. The two hundred and fifty dollars that would be involved would come out of that end of it."

Senator Guess: "And who gets the two hundred and fifty dollars?"

Senator Zimmerman: "This would be given to local government. That is the idea — the fact that it would be returned to county or city, depending on where it is located."

Senator Guess: "Thank you."

REMARKS BY SENATOR GOULD

Senator Gould: "To elaborate a bit, that money would be put into a dedicated fund if the next amendment is adopted which could only be used for capital purposes. It could not be used for general operating funds."

The motion by Senator Zimmerman carried and the amendment to the amendment was adopted.

MOTIONS

On motion of Senator Bluechel, Senators Pullen and von Reichbauer were excused.

Senator Hurley moved the following amendments by Senators Hurley and Pullen to the amendment by Senator Zimmerman, as amended, be considered and adopted simultaneously:

On page 7, line 36, after "shall" strike all of the material down to and including "35A.11.100" on page 8, line 18 and insert the following:

"submit such tax to the voters of the jurisdiction for their adoption and ratification, or rejection at the next general election or a special election ordered by the legislative authority of the jurisdiction under the general election laws of the state. This tax shall be approved by a favorable vote of three-fifths of forty percent of the total votes cast in the jurisdiction at the last preceding general election"

On page 10, beginning on line 2, strike all of the material down to and including "35A.11.100" on line 21 and insert the following:

"submit such tax to the voters of the jurisdiction for their adoption and ratification, or rejection at the next general election or a special election ordered by the legislative authority of the jurisdiction under the general election laws of the state. This tax shall be approved by a favorable vote of three-fifths of forty percent of the total votes cast in the jurisdiction at the last preceding general election"

On page 15, line 21 after "shall" strike all of the material down to and including "35A.11.100" on page 16, line 3 and insert the following:

"submit such tax to the voters of the jurisdiction for their adoption and ratification, or rejection at the next general election or a special election ordered by the legislative authority of the jurisdiction under the general election laws of the state. This tax shall be approved by a favorable vote of three-fifths of forty percent of the total votes cast in the jurisdiction at the last preceding general election"

Debate ensued.

POINT OF INQUIRY

Senator Metcalf: "Senator Hurley, I believe that three-fifths of forty percent, that is pretty tough. Would you accept an oral amendment to read, 'This tax shall be approved by', and strike out 'favorable vote of three-fifths of forty percent,' approved by a majority, put 'a majority of the total votes cast'?"

Senator Hurley: "Yes, I would."

Senator Metcalf moved adoption of the following amendment to the amendment by Senators Hurley and Pullen:

On the 6th line of the second amendment, strike "vote of three-fifths of forty percent of the total votes cast in the jurisdiction at the last preceding general election" and insert "majority"

Debate ensued.

The motion by Senator Metcalf failed and the amendment to the amendment was not adopted.

The motion by Senator Hurley failed and the amendments were not adopted.

Senator Woody moved adoption of the following amendment to the amendment by Senator Zimmerman as amended:

On page 8, line 30, strike all of subsection (1) and renumber the remaining subsections consecutively.

Debate ensued.

The motion by Senator Woody failed and the amendment to the amendment, as amended, was not adopted.

On motion of Senator Conner, the following amendments to the amendment by Senator Zimmerman, as amended were adopted:

On page 9, line 12, after "purpose" strike the period and insert: ": PROVIDED, That one-twelfth of the proceeds so collected shall be used exclusively for uniform fire code enforcement as required under RCW 19.27.110."

On page 9, line 12, after the language of the first amendment, insert: ": PROVIDED FURTHER, That one twelfth of the proceeds so collected shall be distributed to fire protection districts, organized under RCW 52, proportionately based on assessed valuation."

On page 12, line 35, the same two amendments would be inserted.

POINT OF INQUIRY

Senator Wilson: "Senator Zimmerman, a moment ago this body adopted amendments to page 9 on line 12, two amendments, and providing that a twelfth of the proceeds so collected will be used for uniform fire code enforcement. My question is, how much money does this amount to? That is, what does a twelfth of the total proceeds involved here amount to?"

Senator Zimmerman: "Conversations in general here, it is not very much. No. Senator Wilson, at this point these amendments were never dealt with. We do not know the details in terms of the financial effect of them. We are somewhat less than satisfied they do what was intended. I would hope that the body at this point could decide to take them off, let us have longer time to look at them on the other side of the building. At this point I am less than satisfied that we are proceeding and I would like to see us move on."

Senator Wilson: "Would you have any objection, Senator Zimmerman, to holding up this bill for a few minutes while we find out what we did with these two amendments?"

Senator Zimmerman: "At the time of the night, in the dark of the night, I am in favor of getting this job done, but at the same time if you feel you have adequate resources to fill it out and finish it in a moment or two, but I don't suggest we take a lot of time at it. I guess I am saying. . ."

Senator Wilson: "I think there is a general feeling in this chamber, Senator Zimmerman, that we are not dealing knowledgeable with this measure that is before the body and that we ought to be a little more careful than we are being."

Senator Zimmerman: "Under the circumstances, gentlemen, we are looking at tomorrow's business and at the same time, when in doubt I vote 'no' and I guess that is the recommended procedure at times, but I will bow to whatever the wishes of the leadership are."

MOTION FOR RECONSIDERATION

On motion of Senator Conner, the Senate moved to reconsider the vote by which the amendment by Senator Conner to the amendment by Senator Zimmerman, as amended, to page 12, line 35 was adopted.

On motion of Senator Conner, the amendment to the amendment, as amended, to page 12, line 35 was withdrawn.

MOTION

On motion of Senator Clarke, Senate Bill No. 4972, as amended, was ordered held for further consideration on April 9, 1982.

MOTION

On motion of Senator Clarke, the Senate returned to the third order of business.

MESSAGE FROM THE GOVERNOR

Office of the Governor, April 3, 1982.

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

LADIES AND GENTLEMEN:

I am returning herewith without my approval ENGROSSED SENATE BILL NO. 4831 entitled:

"AN ACT Relating to shoreline areas:

Engrossed Senate Bill No. 4831 would establish an approach of an unusual and unwarranted nature for exempting specific industrial projects from procedures established by the Shoreline Management Act. The bill would also severely restrict state level shoreline permit review and approval procedures established by a vote of the people in 1972.

As drafted, ESB 4831 exempts one company from established state law and restricts the Shoreline Management Act's appeal process by eliminating state government from the review and approval process. This is an example of exactly that kind of uncoordinated and piecemeal approach that the act was originally designed to prevent.

Legislation by exemption is poor practice. Consistency, uniformity, and equity in the application of law are essential. To set precedent by doing otherwise serves to undermine public trust and faith in state laws and state law making process.

It is also disruptive and unwarranted to attempt to circumvent state shoreline protection laws in this manner. Many other companies have successfully obtained shoreline development permits by following the guidelines and procedures established by the Shoreline Management Act. To provide a special statutory exemption to a single company is disruptive to the process, establishes a dangerous precedent, is unfair to other entities that have worked within the process, and may be unconstitutional.

The only possible justification for this law is the promise of new jobs at a time they are desperately needed. There is significant doubt that there would be a short-term net increase in jobs were the project to proceed. There is no doubt that the damage to the Shoreline Management Act and the dangers to fishing and the state's role under the Federal Coastal Zone Management Act would be long lasting.

The considerable controversy generated by ESB 4831 indicates that there may be problems with the state's shoreline management procedures. It is recognized that the Shoreline Management Act was adopted nearly ten years ago and that times have changed. The act may unreasonably restrict economic growth in times of severe recession. In order to identify problems with the act and to develop realistic solutions, I would welcome a legislative study to determine the need for modification of the law.

For these reasons, I have vetoed Engrossed Senate Bill No. 4831.

Respectfully submitted,
JOHN SPELLMAN
Governor.

MOTION

On motion of Senator Clarke, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

April 7, 1982.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3783 and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

April 7, 1982.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3783, authorizing the physical revaluation of property every six years if statistical adjustments are made, have had the same under consideration, and we report that we are unable to agree and request the powers of Free Conference in order to recommend that the House amendment not be adopted and the following substitute amendment be adopted:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 84.41.030, chapter 15, Laws of 1961 as amended by section 6, chapter 288, Laws of 1971 ex. sess. and RCW 84.41.030 are each amended to read as follows:

Each county assessor shall maintain an active and systematic program of revaluation on a continuous basis, and shall establish a revaluation schedule which will result in revaluation of all taxable real property within the county at least once each four years and physical inspection of all taxable real property within the county at least once each six years.

Sec. 2. Section 2, chapter 131, Laws of 1974 ex. sess. as amended by section 9, chapter 214, Laws of 1979 ex. sess. and RCW 84.41.041 are each amended to read as follows:

Each county assessor shall cause taxable real property to be physically inspected and valued at least once every ((four)) six years in accordance with RCW

84.41.030, and in accordance with a plan filed with and approved by the department of revenue. Such revaluation plan shall provide that a reasonable portion of all taxable real property within a county shall be revalued and these newly-determined values placed on the assessment rolls each year. If the revaluation plan provides for physical inspection at least once each four years, during the intervals between each physical inspection of real property, the valuation of such property may be adjusted to its current true and fair value, such adjustments to be based upon appropriate statistical data. If the revaluation plan provides for physical inspection less frequently than once each four years, during the intervals between each physical inspection of real property, the valuation of such property shall be adjusted to its current true and fair value, such adjustments to be made once each year and to be based upon appropriate statistical data.

The assessor may require property owners to submit pertinent data respecting taxable property in their control including data respecting any sale or purchase of said property within the past five years, the cost and characteristics of any improvement on the property and other facts necessary for appraisal of the property.

Sec. 3. Section 84.41.090, chapter 15, Laws of 1961 as amended by section 200, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.41.090 are each amended to read as follows:

The department of revenue shall by rule establish appropriate statistical methods for use by assessors in adjusting the valuation of property between physical inspections. The department of revenue shall make and publish such additional rules, regulations and guides which it determines are needed to supplement materials presently published by the department of revenue for the general guidance and assistance of county assessors. Each assessor is hereby directed and required to value property in accordance with the standards established by RCW 84.40.030 and in accordance with the applicable rules, regulations and valuation manuals published by the department of revenue.

Sec. 4. Section 36.21.080, chapter 4, Laws of 1963 as last amended by section 3, chapter 274, Laws of 1981 and RCW 36.21.080 are each amended to read as follows:

(1) The county assessor is authorized to place any property under the provisions of RCW 36.21.040 through 36.21.080 on the assessment rolls for the purposes of tax levy up to ~~((May 31st))~~ August 31st of each year. The assessed valuation of property under the provisions of RCW 36.21.040 through 36.21.080 shall be considered as of ~~((the April 30th immediately preceding the date that the property is placed on the assessment rolls))~~ July 31st of that year.

(2) If, on or before December 31 in any calendar year, any real or personal property placed upon the assessment roll of that year is destroyed in whole or in part, or is in an area that has been declared a disaster area by the governor and has been reduced in value by more than twenty percent as a result of a natural disaster, the true cash value of such property shall be reduced for that year by an amount determined as follows, without necessity of taxpayer application under chapter 84.70 RCW:

(a) First take the true cash value of such taxable property before destruction or reduction in value and deduct therefrom the true cash value of the remaining property after destruction or reduction in value.

(b) Then divide any amount remaining by twelve and multiply the quotient by the number of months or major fraction thereof remaining after the date of the destruction or reduction in value of the property.

Sec. 5. Section 84.40.040, chapter 15, Laws of 1961 as last amended by section 97, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.40.040 are each amended to read as follows:

The assessor shall begin the preliminary work for each assessment not later than the first day of December of each year in all counties in the state. He shall also complete the duties of listing and placing valuations on all property by May 31st of each year, except that the listing and valuation of construction under RCW 36.21-.040 through 36.21.080 shall be completed by August 31st of each year, and in the following manner, to wit:

He shall actually determine as nearly as practicable the true and fair value of each tract or lot of land listed for taxation and of each improvement located thereon and shall enter one hundred percent of the value of such land and of the total value of such improvements, together with the total of such one hundred percent valuations, opposite each description of property on his assessment list and tax roll.

He shall make an alphabetical list of the names of all persons in his county liable to assessment of personal property, and require each person to make a correct list and statement of such property according to the standard form prescribed by the department of revenue, which statement and list shall include, if required by the form, the year of acquisition and total original cost of personal property in each category of the prescribed form, and shall be signed and verified under penalty of perjury by the person listing the property. Such list and statement shall be filed on or before the last day of March, but the assessor, upon written request filed on or before such date and for good cause shown therein, shall allow a reasonable extension of time for filing. The assessor shall on or before the 1st day of January of each year mail a notice to all such persons at their last known address that such statement and list is required, such notice to be accompanied by the form on which the statement or list is to be made: PROVIDED, That the notice mailed by the assessor to each taxpayer each year shall, if practicable, include the statement and list of personal property of the taxpayer for the preceding year. Upon receipt of such statement and list the assessor shall thereupon determine the true and fair value of the property included in such statement and enter one hundred percent of the same in the assessment books opposite the name of the party assessed; and in making such entry in his assessment list, he shall give the name and post office address of the party listing the property, and if the party resides in a city the assessor shall give the street and number or other brief description of his residence or place of business. The assessor may, after giving written notice of his action to the person to be assessed, add to the assessment list any taxable property which, in his judgment, should be included in such list.

Sec. 6. Section 42, chapter 26, Laws of 1967 ex. sess. as amended by section 2, chapter 284, Laws of 1977 ex. sess. and RCW 82.03.130 are each amended to read as follows:

The board shall have jurisdiction to decide the following types of appeals:

- (1) Appeals taken pursuant to RCW 82.03.190.
- (2) Appeals from a county board of equalization pursuant to RCW 84.08.130.
- (3) Appeals by an assessor or landowner from an order of the director of revenue made pursuant to RCW 84.08.010 and 84.08.060, the right to such an appeal being hereby established.
- (4) Appeals by an assessor or owner of an intercounty public utility or private car company from determinations by the director of revenue of equalized assessed valuation of property and the apportionment thereof to a county made pursuant to chapter 84.12 RCW and 84.16 RCW, the right to such appeal being hereby established.

(5) Appeals by an assessor, landowner, or owner of an intercounty public utility or private car company from a determination of any county indicated ratio for such county compiled by the department of revenue pursuant to RCW 84.48.075: PROVIDED, That

(a) ~~Said appeal be filed after review of the ratio ((by the assessor with the department of revenue and upon or before August 11th)) under RCW 84.48.075(3) and not later than fifteen days after the date of certification as required by RCW 84.48.075; and~~

(b) The hearing before the board shall be expeditiously held in accordance with rules prescribed by the board and shall take precedence over all matters of the same character.

Sec. 7. Section 3, chapter 284, Laws of 1977 ex. sess. and RCW 84.48.075 are each amended to read as follows:

(1) The department of revenue shall annually, prior to the first Monday in August, determine ~~((the))~~ and submit to each assessor a preliminary indicated ratio for each county: PROVIDED, That the department shall establish rules and regulations pertinent to the determination of the indicated ratio, the indicated real property ratio and the indicated personal property ratio: PROVIDED FURTHER, That these rules and regulations may provide that data, as is necessary for said determination, which is available from the county assessor of any county and which has been audited as to its validity by the department, ~~((may))~~ shall be utilized by the department in determining the indicated ratio.

(2) To such extent as is reasonable, the department may define use classes of property for the purposes of determination of the indicated ratio. Such use classes may be defined with respect to property use and may include agricultural, open space, timber and forest lands.

(3) The department shall review each county's preliminary ratio with the assessor, a landowner, or an owner of an intercounty public utility or private car company of that county, if requested by the assessor, a landowner, or an owner of an intercounty public utility or private car company of that county, respectively, between the first and third Mondays of August. Prior to equalization of assessments pursuant to RCW 84.48.080(, but no later than August 1st, the department shall submit its findings or preliminary findings to each of the county assessors allowing a reasonable time for review by the assessor) and after the third Monday of August, the department shall certify to each county assessor the real and personal property ratio for that county.

(4) The department of revenue shall also examine procedures used by the assessor to assess real and personal property in the county, including calculations, use of prescribed value schedules, and efforts to locate all taxable property in the county. If any examination by the department discloses other than market value is being listed on the county assessment rolls of the county by the assessor and, after due notification by the department, is not corrected, the department of revenue shall, in accordance with rules adopted by the department, adjust the ratio of that type of property, which adjustment shall be used for determining the county's indicated ratio.

Sec. 8. Section 43, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.140 are each amended to read as follows:

In all appeals over which the board has jurisdiction under RCW 82.03.130, a party taking an appeal may elect either a formal or an informal hearing, such election to be made according to rules of practice and procedure to be promulgated by the board: PROVIDED, HOWEVER, That nothing herein shall be construed to modify the provisions of RCW 82.03.190: AND PROVIDED FURTHER, That upon an appeal under RCW 82.03.130(5), the director of revenue may, within ten days from the date of its receipt of the notice of appeal, file with the clerk of the board notice of its intention that the hearing be held pursuant to chapter 34.04 RCW. In the event that appeals are taken from the same decision, order, or determination, as the case may be, by different parties and only one of such parties elects a formal hearing, a formal hearing shall be granted.

Sec. 9. Section 47, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.180 are each amended to read as follows:

Judicial review of a decision of the board of tax appeals shall be de novo in accordance with the provisions of RCW 82.32.180 or 84.68.020 as applicable except when the decision has been rendered pursuant to a formal hearing elected under RCW 82.03.140 or 82.03.190, in which event judicial review may be obtained only pursuant to RCW 34.04.130 and 34.04.140: **PROVIDED, HOWEVER,** That nothing herein shall be construed to modify the rights of a taxpayer conferred by RCW 82.32.180 and 84.68.020 to sue for tax refunds: **AND PROVIDED FURTHER,** That no review from a decision made pursuant to RCW 82.03.130(1) may be obtained by a taxpayer unless within the petition period provided by RCW 34.04.130 the taxpayer shall have first paid in full the contested tax, together with all penalties and interest thereon, if any. The director of revenue shall have the same right of review from a decision made pursuant to RCW 82.03.130(1) as does a taxpayer; and the director of revenue and all parties to an appeal under RCW 82.03.130(5) shall have the right of review from a decision made pursuant to RCW 82.03.130(5).

NEW SECTION. Sec. 10. There is added to chapter 84.40 RCW a new section to read as follows:

For the purpose of assessment and valuation of all taxable property in each county, any real or personal property in each county shall be subject to visitation, investigation, examination, discovery, and listing at any reasonable time by the county assessor of the county or by any employee thereof designated for this purpose by the assessor.

In any case of refusal to such access, the assessor shall request assistance from the department of revenue which may invoke the power granted by chapter 84.08 RCW.

Sec. 11. Section 84.08.060, chapter 15, Laws of 1961 as amended by section 150, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.08.060 are each amended to read as follows:

The department of revenue shall have power to direct and to order any county board of equalization to raise or lower the valuation of any taxable property, or to add any property to the assessment list, or to perform or complete any other duty required by statute. The department of revenue may require any such board of equalization to reconvene after its adjournment for the purpose of performing any order or requirement made by the department of revenue and may make such orders as it shall determine to be just and necessary. The department may require any county board of equalization to reconvene at any time for the purpose of performing or completing any duty or taking any action it might lawfully have performed or taken at any of its previous regular July, November or April meetings. If such board of equalization shall fail or refuse forthwith to comply with any such order or requirement of the department of revenue, the department of revenue shall have power to take any other appropriate action, or to make such correction or change in the assessment list, and such corrections and changes shall be a part of the record of the proceedings of the said board of equalization: **PROVIDED,** That in all cases where the department of revenue shall raise the valuation of any property or add property to the assessment list, it shall give notice either for the same time and in the same manner as is now required in like cases of county boards of equalization, or if it shall deem such method of giving notice impracticable it shall give notice by publication thereof in a newspaper of general circulation within the county in which the property affected is situated once each week for two consecutive weeks, and the department of revenue shall not proceed to raise such valuation or add such property to the assessment list until a period of five days shall have elapsed subsequent to the date of the last publication of such notice: **PROVIDED FURTHER,** That appeals

to the board of tax appeals by any taxpayer or taxing unit concerning any action of the county board of equalization shall not raise the valuation of the property to an amount greater than the larger of either the valuation of the property by the county assessor or the valuation of the property assigned by the county board of equalization. Such notice shall give the legal description of each tract of land involved, or a general description in case of personal property; the tax record-owner thereof; the assessed value thereof determined by the county board of equalization in case the property is on the assessment roll; and the assessed value thereof as determined by the department of revenue and shall state that the department of revenue proposes to increase the assessed valuation of such property to the amount stated and to add such property to the assessment list at the assessed valuation stated. The necessary expense incurred by the department of revenue in making such reassessment and/or adding such property to the assessment list shall be borne by the county or township in which the property as reassessed and/or so added to the assessment list is situated and shall be paid out of the proper funds of such county upon the order of the department of revenue.

NEW SECTION. Sec. 12. Sections 1 through 5 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."

On page 1, on line 1 of the title, after "property;" strike the remainder of the title and insert "amending section 84.41.030, chapter 15, Laws of 1961 as amended by section 6, chapter 288, Laws of 1971 ex. sess. and RCW 84.41.030; amending section 2, chapter 131, Laws of 1974 ex. sess. as amended by section 9, chapter 214, Laws of 1979 ex. sess. and RCW 84.41.041; amending section 84.41.090, chapter 15, Laws of 1961 as amended by section 200, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.41.090; amending section 36.21.080, chapter 4, Laws of 1963 as last amended by section 3, chapter 274, Laws of 1981 and RCW 36.21.080; amending section 84.40.040, chapter 15, Laws of 1961 as last amended by section 97, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.40.040; amending section 42, chapter 26, Laws of 1967 ex. sess. as amended by section 2, chapter 284, Laws of 1977 ex. sess. and RCW 82.03.130; amending section 3, chapter 284, Laws of 1977 ex. sess. and RCW 84.48.075; amending section 43, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.140; amending section 47, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.180; amending section 84.08.060, chapter 15, Laws of 1961 as amended by section 150, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.08.060; adding a new section to chapter 84.40 RCW; and declaring an emergency."

Signed by: Senators Craswell and Newhouse; Representatives Greengo and Amen.

MOTION

On motion of Senator Newhouse, the report of the Conference Committee on Engrossed Substitute Senate Bill No. 3783 was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE HOUSE

April 8, 1982.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 5007 with the following amendments:

On page 1, line 10 after "state" insert "except those subdivisions not participating in the public employment retirement systems"

On page 1, line 14 after "leave" insert ": PROVIDED FURTHER, That this section shall not apply to any employee covered by chapter 41.26 RCW"

On page 2, line 27 following "death" insert "PROVIDED, That agencies or departments of the state shall provide a method whereby all accumulated vacation leave may be taken as vacation leave"

On page 2, following line 27 insert the following:

"Sec. 3. Section 43.01.041, chapter 8 Laws of 1965 and RCW 43.01.041 are each amended to read as follows:

Officers and employees referred to in RCW 43.01.040 whose employment is terminated by their death(~~(; reduction in force, resignation, dismissal, or by retirement)~~) and who have accrued vacation leave as specified in RCW 43.01.040, shall ~~((be)) ; ; have such accrued vacation leave paid ((therefore under their contract of employment, or)) to their estate ((if they are deceased, or if the employee in case of voluntary resignation has provided adequate notice of termination)).~~

On page 1, line 4 of the title following "43.01.041;" insert "amending section 43.01.041, chapter 8, Laws of 1965 and RCW 43.01.041;"

See also the following amendment to page 2, after line 27 (adopted as amended) and including a title amendment.

On page 2, after line 27, insert the following:

NEW SECTION. Sec. 3. It is the intent of sections 3 through 10 to provide an incentive for state personnel to effect a savings in the operation of state government by curtailing the practice of expending all appropriated funds when such expenditures are unnecessary for the operation of the agency. To end this wasteful practice, the legislature intends to provide for the payment of cash bonus awards to employees whose actions enable the agency to control spending during the last quarter of each biennium and thereby revert part of its appropriation to the general fund.

NEW SECTION. Sec. 4. As used in sections 3 through 10, "agency" means every department, board, commission, and agency of the executive branch of state government to which funds are appropriated by the legislature.

NEW SECTION. Sec. 5. By October 1 of each even-numbered year, each agency shall have adopted a program to prevent disproportionate spending during the last quarter of the biennium. The agency shall provide the director of financial management with a copy of its program. The director of financial management shall compile such programs and make them available for public inspection.

NEW SECTION. Sec. 6. Any executive head of an agency may apply for a bonus award under sections 3 through 10 by submitting an application to the governor during the month of August next following the end of the biennium for which the award is sought. The application shall be on forms prescribed by the governor and shall include the amount of the savings and the employees for which the cash bonus is being requested.

NEW SECTION. Sec. 7. The governor shall pay a bonus, from funds appropriated therefor, to each agency from which funds were reverted to the general fund for the previous biennium if the executive head of the agency can establish, to the governor's satisfaction, that the agency did revert the funds due to its efforts to implement its program adopted under section 5 of this act.

The governor shall prescribe the amount of the bonus and, in consultation with the executive agency head, the distribution to those employees who made the key decisions which resulted in the savings. The total amount of the bonus shall not exceed ten percent of the funds which reverted to the general fund from the agency for the biennium or twenty-five thousand dollars, whichever is less. The funds shall not be distributed to more than fifteen employees or ten percent of the agency's average number of full time equivalent employees during the last fiscal year, whichever is less. No employee may receive more than two thousand five hundred dollars.

NEW SECTION. Sec. 8. Any bonus award received under sections 3 through 10 shall not be considered as salaries or wages for the purpose of computing any pension or retirement allowance.

NEW SECTION. Sec. 9. Sections 3 through 10 shall expire June 30, 1985.

NEW SECTION. Sec. 10. There is added to chapter 43.88 RCW a new section to read as follows:

By October 1 of each even-numbered year, the director of financial management shall have prepared and provided the president of the senate and speaker of the house of representatives with a report showing graphically for each agency the extent to which spending, for purposes other than salary and fringe benefits, varied between the quarters of the fiscal years in the preceding biennium. For those agencies whose spending for such purposes during the last quarter shown was ten percent or more greater than during any other quarter shown, the director shall provide his opinion on whether there exists sufficient justification for the disproportionate spending.

NEW SECTION. Sec. 11. Sections 3 through 9 of this act shall constitute a new chapter in Title 41 RCW."

Renumber the sections consecutively.

On page 1, line 4 of the title, after "43.01.040;" insert "adding a new chapter to Title 41 RCW; adding a new section to chapter 43.88 RCW;" and on line 5, after "section;" insert "providing an expiration date;" and the same is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

MOTION

Senator Newhouse moved the Senate concur in the House amendments to Engrossed Substitute Senate Bill No. 5007 with the exception of the House amendments to page 1, line 14, after "leave" insert ": PROVIDED FURTHER, That this section shall not apply to any employee covered by chapter 41.26 RCW" and the amendment on page 2, line 27 inserting NEW SECTIONS 3, 4, 5, 6, 7, 8 9, 10 and 11 and the title amendment thereto and ask the House to recede therefrom.

Debate ensued.

POINT OF INQUIRY

Senator Bottiger: "Senator Scott, I have tried to ask you these questions before and it has been suggested that I either did not ask them right or that the answer wasn't right, but if a public employee quits his job and has accrued vacation time, does anything in this bill prohibit him collecting that accrued vacation time?"

Senator Scott: "Senator Bottiger, nothing prohibits him from taking vacation time up to 30 days."

Senator Bottiger: "Now if he is fired, is he still entitled to his accrued vacation time?"

Senator Scott: "Up to 30 days."

Senator Bottiger: "And if he is laid off, is he entitled to his accrued vacation time?"

Senator Scott: "Up to 30 days."

Senator Bottiger: "And 30 days has been and is by another statute the maximum accrued vacation time, absent some special permission from the Governor. Is that correct?"

Senator Scott: "Up to 30 days."

The motion by Senator Newhouse carried.

MOTION

On motion of Senator Clarke, all motions for reconsideration were ordered held for consideration on April 9, 1982.

MOTION

At 10:20 p.m., on motion of Senator Clarke, the Senate adjourned until 10:30 a.m., Friday, April 9, 1982.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-NINTH DAY

MORNING SESSION

Senate Chamber, Olympia, Friday, April 9, 1982.

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 Patterson and Talley. On motion of Senator Ridder, Senator Talley was excused.

The Color Guard, consisting of Pages Debrena Jackson and Marsha McLean, presented the Colors. Reverend Charles Loyer, former pastor of Westminster United Presbyterian Church of Olympia, offered the prayer.

Reverend Loyer is now retired.

MOTION

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

MOTION

On motion of Senator Clarke, the Senate advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 4972, by Senator Zimmerman:
Relating to local government finances.

The Senate resumed consideration of Senate Bill No. 4972 from April 8, 1982. An amendment by Senator Zimmerman, as amended, was pending at that time.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, on motion of Senator Conner, the Senate moved to reconsider the vote by which the amendments by Senator Conner to the amendment by Senator Zimmerman had been adopted.

MOTIONS

On motion of Senator Conner, there being no objection, the amendments to the amendment by Senator Zimmerman were withdrawn.

On motion of Senator Zimmerman, the following amendment to the amendment by Senator Zimmerman, as amended, was adopted:

On page 10, line 27, strike all of subsection (2) and insert the following:

"(2) The remaining proceeds from the county tax under section 9 (1) of this act shall be placed in a county capital improvements fund. The remaining proceeds from city or town taxes under section 9 (1) of this act shall be distributed to the respective cities and towns monthly and placed by the city treasurer in a municipal capital improvements fund. These capital improvements funds shall be used by the respective jurisdictions for local improvements, including those listed in RCW 35.43.040."

Senator McCaslin moved adoption of the following amendment by Senators McCaslin and Lysen to the amendment by Senator Zimmerman, as amended:

On page 8, beginning on line 29, strike all of the material down through and including line 20 on page 12.

Renumber the remaining sections consecutively.

Debate ensued.

Senator McCaslin demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senators McCaslin and Lysen to the amendment by Senator Zimmerman, as amended.

ROLL CALL

The Secretary called the roll and the amendment to the amendment was not adopted by the following vote: Yeas, 22; nays, 25; absent or not voting, 1; excused, 1.

Voting yea: Senators Benitz, Clarke, Craswell, Deccio, Gallagher, Gaspard, Guess, Haley, Hansen, Hayner, Jones, Lee, Lysen, McCaslin, Metcalf, Newhouse, Pullen, Rasmussen, Scott, Sellar, von Reichbauer, Woody—22.

Voting nay: Senators Bauer, Bluechel, Bottiger, Charnley, Conner, Fleming, Fuller, Goltz, Gould, Hemstad, Hughes, Hurley, Kiskaddon, McDermott, Moore, Peterson, Quigg, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Zimmerman—25.

Absent or not voting: Senator Patterson—1.

Excused: Senator Talley—1.

Senator Newhouse moved adoption of the following amendment to the amendment by Senator Zimmerman as amended:

On page 16, after line 4, strike all material down through line 35 on page 28 and insert the following:

"Sec. 18. Section 7, chapter 94, Laws of 1970 ex. sess. as last amended by section 11, chapter 4, Laws of 1981 2nd ex. sess. and RCW 82.14.060 are each amended to read as follows:

Bimonthly the state treasurer shall make distribution from the local sales and use tax account to the counties(;) and metropolitan municipal corporations, and to the cities for taxes collected other than under RCW 82.14.030(1), the amount of tax collected on behalf of each county, metropolitan municipal corporation or city, less the deduction provided for in RCW 82.14.050.

Bimonthly the state treasurer shall make distribution from the local sales and use tax account to each city within a county, on the basis of population as last determined by the office of financial management, of the total amount of all taxes collected on behalf of all cities within the county under RCW 82.14.030(1), less the deduction provided for in RCW 82.14.050.

The state treasurer shall make the distribution under this section without appropriation.

In the event that any ordinance or resolution imposes a sales and use tax at a rate in excess of the applicable limits contained herein, such ordinance or resolution shall not be considered void in toto, but only with respect to that portion of the rate which is in excess of the applicable limits contained herein."

Renumber the sections consecutively.

Debate ensued.

POINT OF INQUIRY

Senator Gould: "As I understand it, it would take the first half cent which is already being collected and redistribute that rather than the bill form which would take the second — would take the MVET. If a county or if a city within a county decided not to go for the second half cent, do they still have to give up part of the

first half cent; and the second question is — well, I will ask the question after I get the answer if I may."

Senator Newhouse: "Yes, if they levy the first half cent and get a bonanza as some of them, such as Tukwila does, obviously they would give up some. And if they did not levy the second half cent which would be in prospect at present formula, then of course that is their choice."

Senator Gould: It seems to me from — if they don't authorize the second half cent, then they still have to give up the first half cent?"

Senator Newhouse: "Certainly."

Senator Gould: "So unless they even ask for a second half cent they are going to lose money, and it seems to me what is happening — I'm sorry, this is not a question now, it is my comments. It seems to me, members of the body, that then what is happening is that you are forcing some cities to go to the second half cent because you are taking away some of their first half cent that they now have and then they have no recourse but perhaps to go to the second half cent, and it appears like they are almost compelled to go to the second half cent when they may not want to do this."

Further debate ensued.

The motion by Senator Newhouse failed and the amendment to the amendment by Senator Zimmerman, as amended, was not adopted.

Senator Newhouse moved adoption of the following amendment by Senators Newhouse and Woody to the amendment by Senator Zimmerman as amended:

On page 7, after line 29, add the following section:

"Sec. 7. Section 6, chapter 134, Laws of 1972 ex. sess. as last amended by section 6, chapter 144, Laws of 1981 and RCW 35.21.710 are each amended 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. The taxing authority granted to cities for taxes upon business activities measured by gross receipts or gross income from sales shall not exceed a rate of .0020; EXCEPT that any city with an adopted ordinance at a higher rate, as of January 1, 1982, shall be limited to a maximum increase of ten percent of the January 1982 rate; not to exceed an annual incremental increase of two percent of current rate: PROVIDED, That any adopted ordinance which classifies according to different types of business or services shall be subject to both the ten percent and the two percent annual incremental increase limitation on each tax rate: PROVIDED FURTHER, That all surtaxes on B&O classifications in effect as of January 1, 1982 shall expire no later than December 31, 1982, or by expiration date established by local ordinance. Cities which impose 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 be required to submit an annual report to the Department of Revenue identifying the rate established and the revenues received from each fee or tax. This section shall not apply to any business activities subject to the tax imposed by chapter 82.16 RCW. For purposes of this section, the providing to consumers of competitive telephone service, as defined in RCW 82.16.010, shall be deemed to be the retail sale of tangible personal property."

Renumber remaining sections accordingly.

POINT OF ORDER

Senator Shinpoch: "Mr. President, the point that I raise, even the maker of the motion indicated that this bill that is in front of us in no way limited the B&O tax and this amendment puts some severe limitations upon the B&O tax. It takes out

the surtaxes on B&O classifications as of December 31 of this year, and I would submit that it is outside the scope and object of the bill."

At 11:17 a.m., there being no objection, the Senate was declared to be at ease. President Pro Tempore Guess called the Senate to order at 11:20 a.m.

MOTION

On motion of Senator Clarke, the Senate returned to consideration of the Veto Message from Governor Spellman regarding Engrossed Senate Bill No. 4831 which was read into the Senate on April 8, 1982.

POINT OF ORDER

Senator Talmadge: "Mr. President, I raise the point of order as to the timeliness of the consideration of the message from the Governor. Article 3, Section 2 of the Constitution states, 'Every act which shall have passed the legislature shall be before it becomes a law presented to the Governor. If he approves, he shall sign it but if not he shall return it with his objections to that house in which it shall have originated, which house shall enter the objections at large upon the journal and proceed to reconsider.' The Senate did in fact enter those objections in the journal last night but failed to proceed to reconsider the message from the Governor, and I would suggest that the failure to do that last night made the motion today to attempt to override the Governor's veto not timely."

Senator Clarke: "Mr. President, I would call attention to the fact that just before adjournment I placed a motion that all matters for consideration be held over until today's calendar."

RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Guess: "Senator Clarke's statements are correct. The point of order by Senator Talmadge is not well taken."

MOTION

Senator Clarke moved the Senate now pass Engrossed Senate Bill No. 4831 notwithstanding the Governor's veto.

Senators Talmadge, Williams and Ridder demanded a Call of the Senate.

Senator Talmadge demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the demand for the Call of the Senate.

ROLL CALL

The Secretary called the roll and the demand for the Call of the Senate was not sustained by the following vote: Yeas, 16; nays, 31; absent or not voting, 1; excused, 1.

Voting yea: Senators Charnley, Conner, Fleming, Gaspard, Hughes, Hurley, Lysen, McDermott, Peterson, Rasmussen, Ridder, Shinpoch, Talmadge, Williams, Wilson, Wojahn—16.

Voting nay: Senator Bauer, Benitz, Bluechel, Bottiger, Clarke, Craswell, Deccio, Fuller, Gallagher, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Moore, Newhouse, Pullen, Quigg, Scott, Sellar, Vognild, von Reichbauer, Woody, Zimmerman—31.

Absent or not voting: Senator Patterson—1.

Excused: Senator Talley—1.

The President Pro Tempore declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 4831, notwithstanding the governor's veto.

Debate ensued.

POINT OF ORDER

Senator Newhouse: "The speaker is impugning the motives of those on the other side of the issue by inferring that juice and things like that are involved, and I think that is entirely inappropriate."

RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Guess: "The point of order is well taken. Senator Talmadge, will you please confine your remarks to the issue."

Senator Talmadge: "I will confine my remarks to the issue, Mr. President."

POINT OF ORDER

Senator Rasmussen: "I think that — I don't understand Senator Newhouse. Senator Talmadge is merely repeating exactly the words that were in the newspapers all over the state. There had been high-priced lobbyists hired. Now I am not arguing the merits of the bill, but I rather object to the President saying a person cannot repeat what has been published in every newspaper in the state."

RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Guess: "He was not quoting the newspaper, Senator. He was saying it as a fact for himself, and I asked him to confine himself to the issue and I wish you would too."

REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "Mr. President, it is not hearsay. It is a fact."

REMARKS BY SENATOR TALMADGE

Senator Talmadge: "Mr. President, the issue is very simple and that is that it is clear that if you hire high-priced lobbyists . . ."

RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Guess: "Senator Talmadge, address the issue."

REMARKS BY SENATOR TALMADGE

Senator Talmadge: "Mr. President, I am addressing the issue."

RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Guess: "No, sir."

REMARKS BY SENATOR TALMADGE

Senator Talmadge: "Mr. President, the question before the body is the overriding of the Governor's veto."

REPLY BY PRESIDENT PRO TEMPORE

President Pro Tempore Guess: "Correct."

REMARKS BY SENATOR TALMADGE

Senator Talmadge: "The question we have now before us, members of the Senate, is the question of whether or not we are setting a bad precedent by which we override the Shorelines Management Act which the people adopted. Whether or not we permit the precedent to be created in this body now that if there are people who want to have a special exemption from the Shorelines Management Act they can come down to this body and acquire that by virtue of the hiring of high-priced lobbyists and the pushing of that particular issue in this body. I think that is wrong. I think there are environmental issues, there are legal issues that we have talked about before, the Boldt II decision, the question of whether or not people in this body would override what the people so overwhelmingly indicated was their interest when they adopted the Shorelines Management Act.

"Now the people adopted the Shorelines Management Act in 1971. They adopted it in overwhelming numbers. Most recently in some Lewis Harris polls the indication was that one issue the people looked at, one issue by which they would turn from public office certain elected officials; was the environmental issue. Would people permit the aid to be fouled or the water to be fouled or exemptions to be made from the Shorelines Management Act and similar protections to the environment? And I would suggest to the members of the body that that could well be a key issue here. This is a bad precedent. It creates bad law. It does a bad thing by the people of the state of Washington, and I believe we should not override the veto of the Governor. The Governor's veto was correct."

Further debate ensued.

The President declared the question before the Senate to be the roll call on final passage on Engrossed Senate Bill No. 4831, notwithstanding the governor's veto.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4831, and the bill passed the Senate, notwithstanding the governor's veto, by the following vote: Yeas, 32; nays, 16; excused, 1.

Voting yea: Senators Bauer, Benitz, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Goltz, Gould, Guess, Haley, Hansen, Hayner, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Sellar, Vognild, Woody, Zimmerman—32.

Voting nay: Senators Bluechel, Charnley, Gaspard, Hemstad, Hughes, Hurley, Lysen, McDermott, Ridder, Scott, Shipoch, Talmadge, von Reichbauer, Williams, Wilson, Wojahn—16.

Excused: Senator Talley—1.

MOTION

On motion of Senator Clarke, Engrossed Senate Bill No. 4831 was ordered immediately transmitted to the House.

President Cherberg assumed the Chair.

MOTION

On motion of Senator Clarke, the Senate resumed consideration of Senate Bill No. 4972.

SECOND READING

SENATE BILL NO. 4972, by Senator Zimmerman:

Relating to local government finances.

The Senate resumed consideration of Senate Bill No. 4972, from April 8, 1982 and earlier today also.

At that time, a point of order had been raised by Senator Shinpoch on the following amendment proposed by Senators Newhouse and Woody to the amendment moved for adoption by Senator Zimmerman on April 8, 1982, as amended.

On page 7, after line 29, add the following section:

"Sec. 7. Section 6, chapter 134, Laws of 1972 ex. sess. as last amended by section 6, chapter 144, Laws of 1981 and RCW 35.21.710 are each amended 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. The taxing authority granted to cities for taxes upon business activities measured by gross receipts or gross income from sales shall not exceed a rate of .0020; EXCEPT that any city with an adopted ordinance at a higher rate, as of January 1, 1982, shall be limited to a maximum increase of ten percent of the January 1982 rate; not to exceed an annual incremental increase of two percent of current rate: PROVIDED, That any adopted ordinance which classifies according to different types of business or services shall be subject to both the ten percent and the two percent annual incremental increase limitation on each tax rate: PROVIDED FURTHER, That all surtaxes on B&O classifications in effect as of January 1, 1982 shall expire no later than December 31, 1982, or by expiration date established by local ordinance. Cities which impose 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 be required to submit an annual report to the Department of Revenue identifying the rate established and the revenues received from each fee or tax. This section shall not apply to any business activities subject to the tax imposed by chapter 82.16 RCW. For purposes of this section, the providing to consumers of competitive telephone service, as defined in RCW 82.16.010, shall be deemed to be the retail sale of tangible personal property."

Renumber remaining sections accordingly.

RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the Point of Order raised by Senator Shinpoch, the President finds that Senate Bill No. 4972 is a broad based measure which both limits as well as expands the power of local governments to impose taxes.

"The amendment proposed by Senators Newhouse and Woody also deals with the taxing power of local governments by primarily restricting their power to impose business and occupation taxes.

"The President therefore finds that the proposed amendment does not expand the scope and object of the bill and that the Point of Order is not well taken."

The amendment by Senators Newhouse and Woody to the amendment by Senator Zimmerman, as amended, was ruled in order.

Debate ensued.

Senator Pullen demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senators Newhouse and Woody to the amendment by Senator Zimmerman, as amended.

ROLL CALL

The Secretary called the roll and the amendment to the amendment was not adopted by the following vote: Yeas, 23; nays, 25; excused, 1.

Voting yea: Senators Benitz, Bluechel, Clarke, Conner, Deccio, Gallagher, Guess, Hansen, Hayner, Jones, Lee, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Woody—23.

Voting nay: Senators Bauer, Bottiger, Charnley, Craswell, Fleming, Fuller, Gaspard, Goltz, Gould, Haley, Hemstad, Hughes, Hurley, Kiskaddon, Lysen, McDermott, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Zimmerman—25.

Excused: Senator Talley—1.

On motion of Senator Conner, the following amendment by Senators Conner, Zimmerman, Charnley, Gould and Wilson to the amendment by Senator Zimmerman was adopted:

On page 28, following line 33, insert a new section as follows:

"**NEW SECTION.** Sec. 21. County legislative authorities who levy optional taxes pursuant to this act shall fully consider funding for fire districts within their respective jurisdictions during the county budget process.

The local government committees of the legislature shall study fire district services and funding and shall report back to the Washington State Legislature by December 31, 1982."

Renumber the remaining sections consecutively and change all internal references accordingly.

MOTION

At 12:24 p.m., Senator Shinpoch moved the Senate be in recess until 1:45 p.m. for the purpose of lunch.

Debate ensued.

Senator Shinpoch demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator Shinpoch that the Senate be in recess until 1:45 p.m. for the purpose of lunch.

ROLL CALL

The Secretary called the roll and the motion by Senator Shinpoch failed by the following vote: Yeas, 21; nays, 26; absent or not voting, 1; excused, 1.

Voting yea: Senators Bauer, Bottiger, Conner, Fleming, Gaspard, Goltz, Guess, Hansen, Hughes, Hurley, Lysen, McDermott, Peterson, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wojahn, Woody—21.

Voting nay: Senators Benitz, Bluechel, Charnley, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Moore, Newhouse, Pullen, Quigg, Scott, Sellar, von Reichbauer, Wilson, Zimmerman—26.

Absent or not voting: Senator Patterson—1.

Excused: Senator Talley—1.

MOTION

At 12:30 p.m., on motion of Senator Clarke, the Senate recessed until 1:45 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:45 p.m.

MOTION

On motion of Senator Clarke, the Senate returned to the third order of business.

MESSAGE FROM THE GOVERNOR

Office of the Governor, April 9, 1982.

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

LADIES AND GENTLEMEN:

I have the honor to advise you that on April 9, 1982 Governor Spellman approved the following Senate Bills entitled:

SENATE BILL NO. 4717: Relating to state publications.

SENATE BILL NO. 3609: Relating to education.

Sincerely,

MARILYN SHOWALTER

Counsel to the Governor.

MESSAGE FROM THE HOUSE

April 9, 1982.

Mr. President: The House has concurred in the Senate amendments to SECOND SUBSTITUTE HOUSE BILL NO. 906 and has passed the bill as amended by the Senate.

PATRICIA M. WILLIAMS, Chief Clerk.

MOTIONS

On motion of Senator Clarke, the Senate advanced to the sixth order of business.

On motion of Senator Clarke, the Senate resumed consideration of Senate Bill No. 4972.

SECOND READING

SENATE BILL NO. 4972, by Senator Zimmerman:

Relating to local government finances.

The Senate resumed consideration of Senate Bill No. 4972 from earlier today. An amendment moved for adoption by Senator Zimmerman on April 8, 1982, as amended, is pending.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, on motion of Senator Fuller, the Senate moved to reconsider the vote by which the amendment by Senators Newhouse and Woody to the amendment by Senator Zimmerman, as amended, was not adopted earlier today.

The President declared the question before the Senate to be the following amendment by Senators Newhouse and Woody to the amendment by Senator Zimmerman, as amended, on reconsideration.

On page 7, after line 29, add the following section:

"Sec. 7. Section 6, chapter 134, Laws of 1972 ex. sess. as last amended by section 6, chapter 144, Laws of 1981 and RCW 35.21.710 are each amended 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. The taxing authority granted to cities for taxes upon business activities measured by gross receipts or gross income from sales shall not exceed a rate of .0020; EXCEPT that any city with an adopted ordinance at a higher rate, as of January 1, 1982, shall be limited to a maximum increase of ten percent of the January 1982 rate; not to exceed an annual incremental increase of two percent of current rate: PROVIDED, That any adopted ordinance which classifies according to different types of business or services shall be subject to both the ten percent and the two percent annual incremental increase limitation on each tax rate: PROVIDED FURTHER, That all surtaxes on B&O classifications in effect as of January 1, 1982 shall expire no later than December 31, 1982, or by expiration date established by local ordinance. Cities which impose 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 be required to submit an annual report to the Department of Revenue identifying the rate established and the revenues received from each fee or tax. This section shall not apply to any business activities subject to the tax imposed by chapter 82.16 RCW. For purposes of this section, the providing to consumers of competitive telephone service, as defined in RCW 82.16.010, shall be deemed to be the retail sale of tangible personal property."

Re-number remaining sections accordingly.

Debate ensued.

POINT OF INQUIRY

Senator Talmadge: "Senator, do you know what the rate for the B&O tax is in the city of Seattle?"

Senator Newhouse: "No."

Further debate ensued.

POINT OF INQUIRY

Senator Ridder: "I understood from your response to Senator Talmadge that you don't know what the rate of B&O is in Seattle, and I admit that I don't know, but within this Legislature we passed a bill — I think it was 1015 — which provided for a convention center of statewide economic significance to be located in Seattle, and the financing for that was predicated on an increase in the hotel-motel tax within Seattle, but that was, according to my understanding, to be enacted after the legislation had gone into effect and has not thus far been implemented. So could you tell me what effect your proposal would have upon that proposal?"

Senator Newhouse: "My understanding is that the existing tax is grandfathered in and I am informed, just the information, that the present B&O tax in Seattle is .0035 as compared to a state B&O tax of .0044. The proposed limitation in my amendment is .002 plus an allowance for growth. My understanding of the tax on hotel and motel is a sales and use tax — I may be wrong — but not a B&O tax. It would be a sales and use tax imposed on what you would pay the motel of more than 60 units in Seattle and not a B&O tax."

POINT OF INQUIRY

Senator Ridder: "Senator Talmadge, are you rising to respond to that? That wasn't my understanding. Senator Zimmerman seems to know that, but my recollection is not that it was a sales and use tax."

Senator Zimmerman: "Mr. President and members of the Senate, the Seattle B&O tax rates are for services .402 percent, for hotel and motel, 2 percent for 60 rooms and less, and .5 for less than 60 rooms. For all others it is .209 percent. They

will lose 3.1 million revenue loss in the year '82 on the special hotel-motel with the cap. And then in '83 the rate would be .209 apparently here on this sheet. Tacoma has five rates. They have a .5 on services, retailing .15, manufacturing .11, wholesaling .1, banks and small businesses .25. Spokane is .175. There are others. I won't go beyond that."

Further debate ensued.

POINT OF INQUIRY

Senator Bottiger: "Senator Newhouse, some cities have put large B&O taxes on X-rated movies. As I read this amendment, you would be lowering the B&O tax on X-rated movie theaters. Is that correct?"

Senator Newhouse: "That is entirely false information and also from the previous speaker. If we grandfather in all existing rates, how in the world can there be a three or four million dollar loss to anybody? How could the rate on an X-rated movie, how could the loss of revenue there occur? I am afraid you people haven't learned to read an amendment or a bill."

Further debate ensued.

POINT OF INQUIRY

Senator Kiskaddon: "I see down here that, 'Provided further, that all surtaxes on B&O classifications shall expire.' How many cities now have a surtax on a B&O in effect that they might end up losing at the end of the year?"

Senator Newhouse: "I know of one only in the state and it only says that it shall expire according to that city ordinance which adopted the surtax, and again I say, if you want some votes to pass this thing, put in the protection that some of us want to see. If it is imperfectly drawn, and I don't see imperfections, and I think that if you would read, that it is grandfathered in at current rates, that means current rates, not growth below that but growth can be above current rates. I don't see what the complaints are that have any validity. And this is quite a step. I don't like to see B&O taxes grow in this state. I think they are unfair taxes. You pay it on gross business. You have already got one that is onerous. If you add more — I don't want to see, Senator Rasmussen, the towns in my district add B&O tax that will drive businesses out into the county unincorporated areas."

Senator Newhouse demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senators Newhouse and Woody, on reconsideration to the amendment by Senator Zimmerman, as amended.

ROLL CALL

The Secretary called the roll and the amendment to the amendment was adopted, on reconsideration, by the following vote: Yeas, 27; nays, 20; absent or not voting, 1; excused, 1.

Voting yea: Senators Benitz, Bluechel, Clarke, Conner, Craswell, Deccio, Fuller, Gallagher, Guess, Hansen, Hayner, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Scott, Sellar, Vognild, von Reichbauer, Woody—27.

Voting nay: Senators Bauer, Bottiger, Charnley, Fleming, Gaspard, Goltz, Gould, Haley, Hemstad, Hughes, Hurley, Lysen, McDermott, Rasmussen, Ridder, Shinpoch, Talmadge, Williams, Wilson, Zimmerman—20.

Absent or not voting: Senator Wojahn—1.

Excused: Senator Talley—1.

Senator Rasmussen moved adoption of the following amendments to the amendment by Senator Zimmerman, as amended:

On page 7, line 25, after "cities" strike "and towns" and insert "towns and counties"

On page 7, line 26, following "taxes." strike the remainder of the section.

POINT OF INQUIRY

Senator Newhouse: "Would you be suggesting that this B&O tax which the counties levy would be county-wide?"

Senator Rasmussen: "Yes."

Further debate ensued.

The motion by Senator Rasmussen failed and the amendment to the amendment by Senator Zimmerman was not adopted.

Senator McDermott moved adoption of the following amendment to the amendment by Senator Zimmerman as amended:

On page 1, beginning on line 5, strike everything and insert:

NEW SECTION. Section 1. It is the intent of the legislature to grant excise tax fiscal home rule to all counties, cities, towns, and those service districts authorized to be created in unincorporated areas of counties pursuant to section 3 of this act. The purpose of the legislature in granting such broad excise taxing authority is to place in local governing bodies the responsibility for determining an adequate and fair system or emphasis of tax burden and incidence that is most appropriate to fund mandated and optional functions, programs, and projects. Sections 1 through 4 this act, and all powers granted by these sections, shall be liberally construed in favor of counties, cities, towns, and service districts created pursuant to section 3 of this act.

NEW SECTION. Sec. 2. Within constitutional limitations, the governing body of any county, city, town, or service district created pursuant to section 3 of this act shall have all powers of excise taxation within its territorial limits. This grant of excise tax fiscal home rule authority includes the ability to establish and expand or contract the rate and base of any tax other than ad valorem taxes.

NEW SECTION. Sec. 3. The legislative authority of a county may establish a service district or districts consisting of all or a portion of the unincorporated areas of the county to fund programs, projects, and facilities within the district or districts that the county, or an authority authorized to be created by the county, may provide. Such a service district may not include any area within the corporate limits of a city or town unless the city or town governing body adopts a resolution approving inclusion of the area within the service district. Before establishing a service district, the county legislative authority shall hold a public hearing on the establishment of the proposed service district and special notice of the hearing shall be given as provided in section 4 of this act concerning excise taxes. The receipts of the taxes levied by such a service district may only be used to fund programs, projects, and facilities, or increased levels of funding for programs, projects, or facilities, within the district. The county legislative authority shall be the governing body of such a service district. Such a service district shall be a separate local unit of government and a quasi municipal corporation.

NEW SECTION. Sec. 4. Before the governing body of a county, city, town, or service district created pursuant to section 3 of this act levies a new excise tax, ceases to levy an existing excise tax, alters the rate of an existing excise tax, or alters the base of an existing excise tax, it shall hold a public hearing on this action and provide special notice of the hearing as follows, in addition to the usual required notice:

(1) The governing body shall advertise in a newspaper of general circulation in the county its intent to alter excise tax revenue by taking this action. The advertisement shall be no less than one-quarter page in size and the smallest type used shall be eleven point. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear. The advertisement

shall state that the governing body will meet on a day, at a time, and at a place fixed in the advertisement, which shall be not less than seven days after the day that the advertisement is published, for the purpose of hearing comments regarding the proposed alteration of excise tax revenue and to explain the reasons for the proposed alteration. The meeting on the proposed excise tax revenue alteration may coincide with the hearing on the proposed budget of the county, city, town, or taxing district created pursuant to section 3 of this act:

(2) After the public hearing has been held in accordance with the procedures in this section, the governing body may adopt an ordinance or resolution providing for the imposition, alteration or removal of the imposition of the excise tax. If the measure concerning the excise tax is not approved on the day of the public hearing, the scheduled time and place for consideration and approval of the measure shall be announced at the hearing. If the measure is to be considered at a day and time that is more than two weeks after the public hearing, the governing body shall again advertise in the same manner as provided in subsection (1) of this section.

(3) All hearings shall be open to the public. The governing body shall permit persons desiring to be heard an opportunity to present oral and written testimony within such reasonable time limits as it shall determine.

Sec. 5. Section 11, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 8, chapter 139, Laws of 1981 and RCW 9.46.110 are each amended to read as follows:

~~((The legislative authority of any county, city=county, city, or town, by local law and ordinance, and in accordance with the provisions of this chapter and rules and regulations promulgated hereunder, may provide for the taxing of any gambling activity authorized in RCW 9.46.030 as now or hereafter amended within its jurisdiction, the tax receipts to go to the county, city=county, city, or town so taxing the same. PROVIDED, That any such tax imposed by a county alone shall not apply to any gambling activity within a city or town located therein but the tax rate established by a county, if any, shall constitute the tax rate throughout such county including both incorporated and unincorporated areas, except for any city located therein with a population of twenty thousand or more persons as of the most recent decennial census taken by the federal government. PROVIDED FURTHER, That (†))) Punch boards and pull-tabs, chances on which shall only be sold to adults, ((which)) shall have a twenty-five cent limit on a single chance thereon((, shall be taxed on a basis which shall reflect only the gross receipts from such punch boards and pull-tabs, and (2))). No punch board or pull-tab may award as a prize upon a winning number or symbol being drawn the opportunity of taking a chance upon any other punch board or pull-tab((; and (3))). All prizes for punch boards and pull-tabs must be on display within the immediate area of the premises wherein any such punch board or pull-tab is located and upon a winning number or symbol being drawn, such prize must be immediately removed therefrom, or such omission shall be deemed a fraud for the purposes of this chapter((; and (4))). When any person shall win over twenty dollars in money or merchandise from any punch board or pull-tab, every licensee hereunder shall keep a public record thereof for at least ninety days thereafter containing such information as the commission shall deem necessary((; AND PROVIDED FURTHER, That taxation of bingo and raffles shall never be in an amount greater than ten percent of the gross revenue received therefrom less the amount paid for or as prizes. Taxation of amusement games shall only be in an amount sufficient to pay the actual costs of enforcement of the provisions of this chapter by the county, city or town law enforcement agency and in no event shall such taxation exceed two percent of the gross revenue therefrom less the amount paid for as prizes. PROVIDED FURTHER, That no tax shall be imposed under the authority of this chapter on bingo, raffles or amusement games when such activities or any combination thereof are conducted by any bona fide charitable or~~

~~nonprofit organization as defined in RCW 9.46.020(3), which organization has no paid operating or management personnel and has gross income from bingo, raffles or amusement games, or any combination thereof, not exceeding five thousand dollars per year less the amount paid for as prizes. Taxation of punch boards and pull-tabs shall not exceed five percent of gross receipts, nor shall taxation of social card games exceed twenty percent of the gross revenue from such games).~~

Sec. 6. Section 4, chapter 111, Laws of 1965 ex. sess. as amended by section 4, chapter 270, Laws of 1975 1st ex. sess. and RCW 35.95.040 are each amended to read as follows:

The corporate authorities of a ~~((municipality))~~ public transit benefit area created under chapter 36.57A RCW and of a metropolitan municipal corporation created under chapter 35.58 RCW are authorized to adopt ordinances for the levy and collection of excise taxes and/or for the imposition of an additional tax for the act or privilege of engaging in business activities. Such business and occupation tax shall be imposed in such amounts as fixed and determined by the corporate authorities of the ~~((municipality))~~ public transit benefit area or metropolitan municipal corporation and shall be measured by the application of rates against value of products, gross proceeds of sales, or gross income of the business, as the case may be. The terms "business", "engaging in business", "gross proceeds of sales", and "gross income of the business" shall for the purpose of this chapter have the same meanings as defined and set forth in chapter 82.04 RCW or as said chapter may hereafter be amended.

The excise taxes other than the business and occupation tax above provided for shall be levied and collected from all persons within the ~~((municipality))~~ metropolitan municipal corporation or public transit benefit area in such amounts as shall be fixed and determined by the corporate authorities of ~~((the municipality))~~ these entities: PROVIDED, That such excise tax shall not exceed one dollar per month for each housing unit. For the purposes of this section, the term "housing unit" shall mean a building or portion thereof designed for or used as the residence or living quarters of one or more persons living together, or of one family.

All taxes herein authorized shall be taxes other than a retail sales tax defined in chapter 82.08 RCW and a use tax defined in chapter 82.12 RCW, and the ~~((municipality))~~ metropolitan municipal corporation or public transit benefit area shall appropriate and use the proceeds derived from all taxes authorized herein only for the operation, maintenance and capital needs of ~~((its municipally owned or leased and municipally operated))~~ the public transportation system it owns or leases and operates itself.

~~Before ((any county transportation authority established pursuant to chapter 36.57 RCW or)) any public transportation benefit area authority established pursuant to chapter 36.57A RCW may impose any of the excise taxes authorized pursuant to this section, the authorization for imposition of such taxes shall be approved by the voters residing within such respective area.~~

~~((The county on behalf of an unincorporated transportation benefit area established pursuant to RCW 36.57.100 and 36.57.110 may impose any of the excise taxes authorized pursuant to this section only within the boundaries of such unincorporated transportation benefit area.))~~

Sec. 7. Section 35A.11.020, chapter 119, Laws of 1967 ex. sess. as amended by section 1, chapter 29, Laws of 1969 ex. sess. and RCW 35A.11.020 are each amended to read as follows:

The legislative body of each code city shall have power to organize and regulate its internal affairs within the provisions of this title and its charter, if any; and to define the functions, powers, and duties of its officers and employees; within the limitations imposed by vested rights, to fix the compensation and working conditions of

such officers and employees and establish and maintain civil service, or merit systems, retirement and pension systems not in conflict with the provisions of this title or of existing charter provisions until changed by the people: PROVIDED, That nothing in this section or in this title shall permit any city, whether a code city or otherwise, to enact any provisions establishing or respecting a merit system or system of civil service for firemen and policemen which does not substantially accomplish the same purpose as provided by general law in chapter 41.08 RCW for firemen and chapter 41.12 RCW for policemen now or as hereafter amended, or enact any provision establishing or respecting a pension or retirement system for firemen or policemen which provides different pensions or retirement benefits than are provided by general law for such classes. Such body may adopt and enforce ordinances of all kinds relating to and regulating its local or municipal affairs and appropriate to the good government of the city, and may impose penalties of fine not exceeding five hundred dollars or imprisonment for any term not exceeding six months, or both, for the violation of such ordinances, constituting a misdemeanor or gross misdemeanor as provided therein. The legislative body of each code city shall have all powers possible for a city or town to have under the Constitution of this state, and not specifically denied to code cities by law. By way of illustration and not in limitation, such powers may be exercised in regard to the acquisition, sale, ownership, improvement, maintenance, protection, restoration, regulation, use, leasing, disposition, vacation, abandonment or beautification of public ways, real property of all kinds, waterways, structures, or any other improvement or use of real or personal property, in regard to all aspects of collective bargaining as provided for and subject to the provisions of chapter 41.56 RCW, as now or hereafter amended, and in the rendering of local social, cultural, recreational, educational, governmental, or corporate services, including operating and supplying of utilities and municipal services commonly or conveniently rendered by cities or towns. In addition and not in limitation, the legislative body of each code city shall have any authority ever given to any class of municipality or to all municipalities of this state before or after the enactment of this title, such authority to be exercised in the manner provided, if any, by the granting statute, when not in conflict with this title. Within constitutional limitations, legislative bodies of code cities shall have within their territorial limits all powers of taxation (~~for local purposes~~) except those which are expressly (~~pre-empted by the state as provided in RCW 66.08.120, RCW 82.36.440, RCW 48.14.020, and RCW 48.14.080~~) limited by RCW 27.12.390, 41.16.060, 52.04.190, and 84.52.043.

Sec. 8. Section .14.02, chapter 79, Laws of 1947 as last amended by section 2, chapter 233, Laws of 1979 ex. sess. and RCW 48.14.020 are each amended to read as follows:

(1) Subject to other provisions of this chapter, each authorized insurer except title insurers shall on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax on premiums. Except as provided in subsection (2) of this section, such tax shall be in the amount of two percent of all premiums, excluding amounts returned to or the amount of reductions in premiums allowed to holders of industrial life policies for payment of premiums directly to an office of the insurer, collected or received by the insurer during the preceding calendar year in the case of foreign and alien insurers, and in the amount of one percent of all such premiums in the case of domestic insurers, for direct insurances, other than ocean marine and foreign trade insurances, after deducting premiums paid to policyholders as returned premiums, upon risks or property resident, situated, or to be performed in this state. For the purposes of this section the consideration received by an insurer for the granting of an annuity is deemed to be a premium.

(2) In the case of insurers which require the payment by their policyholders at the inception of their policies of the entire premium thereon in the form of premiums or premium deposits which are the same in amount, based on the character of the

risks, regardless of the length of term for which such policies are written, such tax shall be in the amount of two percent of the gross amount of such premiums and premium deposits upon policies on risks resident, located, or to be performed in this state, in force as of the thirty-first day of December next preceding, less the unused or unabsorbed portion of such premiums and premium deposits computed at the average rate thereof actually paid or credited to policyholders or applied in part payment of any renewal premiums or premium deposits on one-year policies expiring during such year.

(3) Each authorized insurer shall with respect to all ocean marine and foreign trade insurance contracts written within this state during the preceding calendar year, on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax of three-quarters of one percent on its gross underwriting profit. Such gross underwriting profit shall be ascertained by deducting from the net premiums (i.e., gross premiums less all return premiums and premiums for reinsurance) on such ocean marine and foreign trade insurance contracts the net losses paid (i.e., gross losses paid less salvage and recoveries on reinsurance ceded) during such calendar year under such contracts. In the case of insurers issuing participating contracts, such gross underwriting profit shall not include, for computation of the tax prescribed by this subsection, the amounts refunded, or paid as participation dividends, by such insurers to the holders of such contracts.

~~(4) ((The state does hereby preempt the field of imposing excise or privilege taxes upon insurers or their agents, other than title insurers, and no county, city, town or other municipal subdivision shall have the right to impose any such taxes upon such insurers or their agents.~~

(5)) If an authorized insurer collects or receives any such premiums on account of policies in force in this state which were originally issued by another insurer and which other insurer is not authorized to transact insurance in this state on its own account, such collecting insurer shall be liable for and shall pay the tax on such premiums.

~~((6))~~ (5) This section shall be effective as to and shall govern the payment of all taxes falling due after the effective date of this code.

Sec. 9. Section 21, chapter 190, Laws of 1949 and RCW 48.14.080 are each amended to read as follows:

As to insurers other than title insurers, the taxes imposed by this title shall be in lieu of all other taxes levied by the state, except taxes on real and tangible personal property and excise taxes on the sale, purchase or use of such property.

Sec. 10. Section 3, chapter 94, Laws of 1970 ex. sess. as amended by section 4, chapter 144, Laws of 1981 and RCW 82.14.020 are each amended to read as follows:

For purposes of this chapter:

(1) A retail sale consisting solely of the sale of tangible personal property shall be deemed to have occurred at the retail outlet at or from which delivery is made to the consumer;

(2) A retail sale consisting essentially of the performance of personal business or professional services shall be deemed to have occurred at the place at which such services were primarily performed;

(3) A retail sale consisting of the rental of tangible personal property shall be deemed to have occurred (a) in the case of a rental involving periodic rental payments, at the primary place of use by the lessee during the period covered by each payment, or (b) in all other cases, at the place of first use by the lessee;

(4) A retail sale within the scope of the second paragraph of RCW 82.04.050, and a retail sale of taxable personal property to be installed by the seller shall be deemed to have occurred at the place where the labor and services involved were primarily performed;

(5) A retail sale consisting of the providing to a consumer of competitive telephone service, as defined in RCW 82.16.010, other than a sale of tangible personal property under subsection (1) of this section or a rental of tangible personal property under subsection (3) of this section, shall be deemed to have occurred at the situs of the primary telephone or other instrument through which the competitive telephone service is rendered;

(6) (~~"City" means a city or town;~~

~~(7))~~) The meaning ascribed to words and phrases in chapters 82.04, 82.08 and 82.12 RCW, as now or hereafter amended, insofar as applicable, shall have full force and effect with respect to taxes imposed under authority of this chapter;

~~((8))~~) (7) "Taxable event" shall mean any retail sale, or any use of an article of tangible personal property, upon which a state tax is imposed pursuant to chapter 82.08 or 82.12 RCW, as they now exist or may hereafter be amended: PROVIDED, HOWEVER, That the term shall not include a retail sale taxable pursuant to RCW 82.08.150, as now or hereafter amended.

Sec. 11. Section 2, chapter 296, Laws of 1971 ex. sess. as last amended by section 1, chapter 163, Laws of 1980 and RCW 82.14.045 are each amended to read as follows:

(1) The legislative body (~~of any city pursuant to RCW 35.92.060, of any county which has created an unincorporated transportation benefit area pursuant to RCW 36.57.100 and 36.57.110;~~) of any public transportation benefit area pursuant to RCW 36.57A.080 and 36.57A.090(~~(, of any county transportation authority established pursuant to chapter 36.57 RCW;~~) and of any metropolitan municipal corporation within a class AA county pursuant to chapter 35.58 RCW, may, by resolution or ordinance for the sole purpose of providing funds for the operation, maintenance or capital needs of public transportation systems and in lieu of the excise taxes authorized by RCW 35.95.040, as now or hereafter amended, submit an authorizing proposition to the voters or include such authorization in a proposition to perform the function of public transportation and if approved by a majority of persons voting thereon, fix and impose a sales and use tax in accordance with the terms of this chapter: PROVIDED, That no such legislative body shall impose such a sales and use tax without submitting such an authorizing proposition to the voters and obtaining the approval of a majority of persons voting thereon(~~(-PROVIDED FURTHER, That where such a proposition is submitted by a county on behalf of an unincorporated transportation benefit area, it shall be voted upon by the voters residing within the boundaries of such unincorporated transportation benefit area and, if approved, the sales and use tax shall be imposed only within such area. Notwithstanding any provisions of this section to the contrary, any county in which a county public transportation plan has been adopted pursuant to RCW 36.57.070 and the voters of such county have authorized the imposition of a sales and use tax pursuant to the provisions of RCW 82.14.047, section 10, chapter 167, Laws of 1974 ex. sess., prior to July 1, 1975, shall be authorized to fix and impose a sales and use tax as provided in this section at not to exceed the rate so authorized without additional approval of the voters of such county as otherwise required by this section))~~).

The tax authorized pursuant to this section (~~(shall be in addition to the tax authorized by RCW 82.14.030 and)~~) 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 such (~~(city;~~) public transportation benefit area(~~(; county;~~) or metropolitan municipal corporation as the case may be. The rate of such tax shall be one-tenth, two-tenths, or three-tenths 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) except that in the case of a metropolitan municipal corporation created pursuant to chapter 35.58 RCW within a class AA county, the rate of such tax shall be one-tenth, two-tenths, three-tenths, four-tenths, five-tenths, or six-tenths of one per-

cent. The rate of such tax shall not exceed the rate authorized by the voters unless such increase shall be similarly approved.

(2) (a) In the event a metropolitan municipal corporation shall impose a sales and use tax pursuant to this chapter no ~~((city, county which has created an unincorporated transportation benefit area,))~~ public transportation benefit area authority ~~((; or county transportation authority wholly within such metropolitan municipal corporation))~~ shall be empowered to levy and/or collect taxes pursuant to RCW 35.58.273, 35.95.040 and/or 82.14.045, as now or hereafter amended, but nothing herein shall prevent ~~((such))~~ a city or county from imposing sales and use taxes pursuant to any other authorization.

(b) ~~((In the event a county transportation authority shall impose a sales and use tax pursuant to this section, no city, county which has created an unincorporated transportation benefit area, public transportation benefit area, or metropolitan municipal corporation, located within the territory of the authority, shall be empowered to levy or collect taxes pursuant to RCW 35.58.273, 35.95.040, or 82.14.045, as now or hereafter amended:~~

~~((c))~~ In the event a public transportation benefit area shall impose a sales and use tax pursuant to this section, no ~~((city, county which has created an unincorporated transportation benefit area, or))~~ metropolitan municipal corporation, located wholly or partly within the territory of the public transportation benefit area, shall be empowered to levy or collect taxes pursuant to RCW 35.58.273, 35.95.040 or 82.14.045, as now or hereafter amended.

~~((3)) Any local sales and use tax revenue collected pursuant to this section by any city or by any county for transportation purposes pursuant to RCW 36.57.100 and 36.57.110 shall not be counted as locally generated tax revenues for the purposes of apportionment and distribution, in the manner prescribed by chapter 82.44 RCW, as now or hereafter amended, of the proceeds of the motor vehicle excise tax authorized pursuant to RCW 35.58.273, as now or hereafter amended:))~~

Sec. 12. Section 6, chapter 94, Laws of 1970 ex. sess. as amended by section 3, chapter 296, Laws of 1971 ex. sess. and RCW 82.14.050 are each amended to read as follows:

~~((The counties, metropolitan municipal corporations and cities))~~ Metropolitan municipal corporations and public transit benefit areas which levy sales and use taxes shall, and any city or county which levies a sales and use tax may, contract, prior to the effective date of a resolution or ordinance imposing a sales and use tax, the administration and collection to the state department of revenue, which shall deduct a percentage amount, as provided by contract, not to exceed two percent of the taxes collected for administration and collection expenses incurred by the department. The remainder of any portion of any tax authorized by this chapter which is collected by the department of revenue shall be deposited by the state department of revenue in a special fund under the custody of the state treasurer to be known as the local sales and use tax revolving fund. All administrative provisions in chapters 82.03, 82.08, 82.12, and 82.32 RCW, as they now exist or may hereafter be amended, shall, insofar as they are applicable to state sales and use taxes, be applicable to taxes imposed pursuant to this chapter.

Sec. 13. Section 7, chapter 94, Laws of 1970 ex. sess. as amended by section 4, chapter 296, Laws of 1971 ex. sess. and RCW 82.14.060 are each amended to read as follows:

Bimonthly the state treasurer shall make distribution from the local sales and use tax revolving fund to the ~~((counties, metropolitan municipal corporations and cities))~~ units of local government the amount of tax collected on behalf of each ~~((county, metropolitan municipal corporation or city))~~ unit of local government, less the deduction provided for in RCW 82.14.050.

~~((In the event that any ordinance or resolution imposes a sales and use tax at a~~

~~rate in excess of the applicable limits contained herein, such ordinance or resolution shall not be considered void in toto, but only with respect to that portion of the rate which is in excess of the applicable limits contained herein:)~~

Sec. 14. Section 10, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.070 are each amended to read as follows:

It is the intent of this chapter that any local sales and use tax adopted pursuant to this chapter be as consistent and uniform as possible with the state sales and use tax ((and with other local sales and use taxes adopted pursuant to this chapter)). It is further the intent of this chapter that the local sales and use tax shall be imposed upon an individual taxable event simultaneously with the imposition of the state sales or use tax upon the same taxable event. The rule making powers of the state department of revenue contained in RCW 82.08.060 and 82.32.300 shall be applicable to this chapter. The department shall, as soon as practicable, and with the assistance of the appropriate associations of county prosecutors and city attorneys, draft a model resolution and ordinance. No resolution or ordinance or any amendment thereto adopted pursuant to this chapter shall be effective, except upon the first day of a calendar month.

NEW SECTION. Sec. 15. The following acts or parts of acts are each repealed:

- (1) Section 11, chapter 166, Laws of 1975 1st ex. sess. and RCW 9.46.113;
- (2) Section 35.21.280, chapter 7, Laws of 1965 and RCW 35.21.280;
- (3) Section 6, chapter 134, Laws of 1972 ex. sess., section 6, chapter 144, Laws of 1981 and RCW 35.21.710;
- (4) Section 5, chapter 111, Laws of 1965 ex. sess., section 66, chapter 145, Laws of 1967 ex. sess. and RCW 35.95.050;
- (5) Section 6, chapter 111, Laws of 1965 ex. sess. and RCW 35.95.060;
- (6) Section 67, chapter 145, Laws of 1967 ex. sess. and RCW 35.95.090;
- (7) Section 36.38.010, chapter 4, Laws of 1963 and RCW 36.38.010;
- (8) Section 36.38.020, chapter 4, Laws of 1963, section 21, chapter 278, Laws of 1975 1st ex. sess., section 38, chapter 151, Laws of 1979 and RCW 36.38.020;
- (9) Section 36.38.030, chapter 4, Laws of 1963 and RCW 36.38.030;
- (10) Section 29, chapter 62, Laws of 1933 ex. sess. and RCW 66.08.120;
- (11) Section 11, chapter 236, Laws of 1967, section 1, chapter 89, Laws of 1970 ex. sess., section 5, chapter 34, Laws of 1973 2nd ex. sess., section 1, chapter 225, Laws of 1975 1st ex. sess. and RCW 67.28.180;
- (12) Section 2, chapter 225, Laws of 1975 1st ex. sess. and RCW 67.28.185;
- (13) Section 12, chapter 236, Laws of 1967 and RCW 67.28.190;
- (14) Section 13, chapter 236, Laws of 1967, section 2, chapter 89, Laws of 1970 ex. sess. and RCW 67.28.200;
- (15) Section 14, chapter 236, Laws of 1967, section 3, chapter 89, Laws of 1970 ex. sess., section 6, chapter 34, Laws of 1973 2nd ex. sess. and RCW 67.28.210;
- (16) Section 82.02.020, chapter 15, Laws of 1961, section 16, chapter 236, Laws of 1967, section 8, chapter 94, Laws of 1970 ex. sess., section 3, chapter 196, Laws of 1979 ex. sess. and RCW 82.02.020;
- (17) Section 1, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.010;
- (18) Section 4, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.030;
- (19) Section 5, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.040;
- (20) Section 9, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.900;
- (21) Section 12, chapter 94, Laws of 1970 ex. sess., section 1, chapter 121, Laws of 1972 ex. sess. and RCW 82.14.910;
- (22) Section 2, chapter 134, Laws of 1972 ex. sess. and RCW 82.14A.010;
- (23) Section 3, chapter 134, Laws of 1972 ex. sess. and RCW 82.14A.020;
- (24) Section 5, chapter 134, Laws of 1972 ex. sess. and RCW 82.14A.030;

(25) Section 8, chapter 134, Laws of 1972 ex. sess. and RCW 82.14A.900; and (26) Section 82.36.440, chapter 15, Laws of 1961, section 5, chapter 181, Laws of 1979 ex. sess. and RCW 82.36.440."

Senator McDermott demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senator McDermott to the amendment by Senator Zimmerman as amended.

ROLL CALL

The Secretary called the roll and the amendment to the amendment was not adopted by the following vote: Yeas, 18; nays, 29; absent or not voting, 1; excused, 1.

Voting yea: Senators Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, McDermott, Metcalf, Quigg, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams—18.

Voting nay: Senators Bauer, Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, Lysen, McCaslin, Moore, Newhouse, Patterson, Peterson, Pullen, Scott, Sellar, von Reichbauer, Wilson, Woody, Zimmerman—29.

Absent or not voting: Senator Wojahn—1.

Excused: Senator Talley—1.

PARLIAMENTARY INQUIRY

Senator Bottiger: "Mr. President, we had before us the Newhouse amendment. We did not enact it. Then we move to reconsider and did adopt it. Is it still in order to ask to reconsider the vote by which the amendment was adopted?"

REPLY BY THE PRESIDENT

President Cherberg: "The amendment was reconsidered once and that is the sum total, Senator."

MOTION

Senator Bottiger moved the Senate be in recess.

MOTION

On motion of Senator Clarke, the motion by Senator Bottiger was held for consideration following Engrossed Substitute House Bill No. 1217.

MOTION

On motion of Senator Clarke, the Senate resumed consideration of the House Message regarding Engrossed Substitute House Bill No. 1217.

On April 8, 1982, the House Message indicated that the House insists on its position regarding the Senate amendments to Engrossed Substitute House Bill No. 1217 and once again asks the Senate to recede therefrom.

On April 8, 1982, the rules were suspended and Engrossed Substitute House Bill No. 1217 was returned to second reading.

Senator Gould had moved adoption of an amendment striking everything after the enacting clause and inserting. An amendment by Senator Gould to the amendment by Senator Gould was adopted at that time. Senator Williams had moved adoption of the following amendment to the amendment by Senator Gould:

Beginning on page 6, strike all of section 3 and renumber the remaining sections accordingly.

POINT OF INQUIRY

Senator Rasmussen: "Senator Gould, do we have your assurance that if the Governor only appoints four out of the nine, that we would then only have to pay a little bit less than one-half of the twenty-three billion dollars? With that assurance I could probably vote against this amendment."

Senator Gould: "Mr. President, in response to that concern which is what you are talking about as far as state's liability, even if they were all appointed by the Governor, the AG has written an informal letter; Bill Appel who was a bond counsel in Seattle who testified in front of the Inquiry Committee, the WPPSS attorneys, have said that there is no liability. Even if they were all appointed. And just as an added effort, we might refer to the Power Authority of the State of New York which is an agency that is much closer to the state government in New York, and they are not liable. I don't know what more I can tell you."

Further debate ensued.

The demand for a roll call on the amendment by Senator Williams to the amendment by Senator Zimmerman had been sustained on April 8, 1982.

The President declared the question before the Senate to be the roll call on the amendment by Senator Williams to the amendment by Senator Gould.

ROLL CALL

The Secretary called the roll and the amendment to the amendment was not adopted by the following vote: Yeas, 20; nays, 25; absent or not voting, 3; excused, 1.

Voting yea: Senators Bauer, Charnley, Conner, Fleming, Gaspard, Goltz, Hughes, Hurley, Lysen, McDermott, Moore, Pullen, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn—20.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Quigg, Scott, Sellar, von Reichbauer, Woody, Zimmerman—25.

Absent or not voting: Senators Bottiger, Patterson, Peterson—3.

Excused: Senator Talley—1.

Senator Lysen moved the following amendments to the amendment by Senator Gould be considered and adopted simultaneously:

On page 8, line 5, after "finance" insert "consumer advocacy"

On page 8, line 13, after "assets" insert a new subsection to read as follows:

"At least one outside director shall be appointed from among organizations incorporated pursuant to RCW 24.03 for the purpose of representing the interests of residential electrical consumers in utility planning and financial issues."

Debate ensued.

POINT OF INQUIRY

Senator Deccio: "Senator Lysen, the purpose of your amendment is to put a member of the public on this board. and I thought that was the original purpose of — am I wrong in that?"

Senator Lysen: "It allows the ratepayer groups who actually are incorporated under that RCW that is the amendment there to select or nominate one person from their number who would be appointed."

Senator Deccio: "It is a member of the public. You are still talking about a member . . ."

Senator Lysen: "It is a member of the public who is active and trying to get involved. I understand your argument, your point is well taken."

Senator Deccio: "My question is that you are talking about another member of the public. Wasn't the purpose of the public utility districts so the public could control their own power and they elected members of the public which got us in the shape that we are in? If anybody can be responsible, it has got to be the PUD officers. So my question is, what point is there in going out and getting another level of the public to come in and try to straighten out what was supposed to be controlled by the public in the first place?"

Senator Lysen: "Your points are well taken, Senator Deccio, and I do say this, that the general public is responsible and they have been less than active in their interests and we have neglected this institution. You know, the price of liberty is vigilance and they have not been vigilant and they have not used this democratically designed institution that — by the way, Senator Guess, it was the Grange that sponsored that initiative, not the AFL-CIO. It was primarily the Grange. So that is right, so the institution has gradually calcified, I guess, might be the reason it has not been used, from lack of use, uncontested elections. For the democratic process to work, it is a process, you have to have contested elections and the PUDs have not really had contested elections for many years. Sort of the last guy out of the room is stuck with it, or people who have other interests that are not necessarily to be an advocate of the PUD. And that is where we have gone wrong. And our institution is sort of thirty-forty years behind the times, and this is an attempt to try to take that democratic process as it is being expressed out among the people and bring it up to the way it is manifesting itself now, not the way it manifested itself 50 years ago. That is all."

Senator Clarke, Jones and Hayner demanded the previous question and the demand was sustained.

Senator Lysen demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendments by Senator Lysen to the amendment by Senator Gould.

ROLL CALL

The Secretary called the roll and the amendments to the amendment were not adopted by the following vote: Yeas, 19; nays, 25; absent or not voting, 4; excused, 1.

Voting yea: Senators Bauer, Charnley, Conner, Gaspard, Goltz, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wojahn, Woody—19.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, Wilson, Zimmerman—25.

Absent or not voting: Senators Bottiger, Fleming, Metcalf, von Reichbauer—4.

Excused: Senator Talley—1.

On motion of Senator Williams, there being no objection, an amendment to page 11, line 26 to the amendment to Senator Gould, on the desk of the Secretary of the Senate, was withdrawn.

On motion of Senator Gould, the following amendment to the amendment by Senator Gould was adopted:

On page 12, after line 29 insert the following:

"Sec. 4. Section 43.52.290, chapter 8, Laws of 1965 as amended by section 3, chapter 184, Laws of 1977 ex. sess. and RCW 43.52.290 are each amended to read as follows:

Members of the board of directors of an operating agency shall be paid the sum of fifty dollars per day for each day or major part thereof devoted to the business of the operating agency, together with their traveling and other necessary expenses. Such member may, regardless of any charter or other provision to the contrary, be an officer or employee holding another public position and, if he be such other public officer or employee, he shall be paid by the operating agency such amount as will, together with the compensation for such other public position equal the sum of fifty dollars per day. The common law doctrine of incompatibility of offices is hereby voided as it applies to persons sitting on the board of directors or the executive board of an operating agency and holding an elective or appointive position on a public utility district commission or municipal legislative authority or being an employee of a public utility district or municipality."

Renumber the remaining sections consecutively.

The motion by Senator Gould carried and the amendment, as amended, was adopted.

On motion of Senator Gould, the following amendment to the title was adopted:

On page 1, on line 1, after "agencies;" strike the remainder of the title and insert "amending section 43.52.250, chapter 8, Laws of 1965 as last amended by section 1, chapter 1, Laws of 1981 1st ex. sess. and RCW 43.52.250; amending section 43.52.370, chapter 8, Laws of 1965 as last amended by section 1, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.370; amending section 2, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.374; amending section 43.52.373, chapter 8, Laws of 1965 as amended by section 3, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.375; amending section 1, chapter 220, Laws of 1979 ex. sess. as amended by section 4, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.378; amending section 2, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.020; adding a new section to chapter 43.52 RCW; creating a new section; and declaring an emergency."

On motion of Senator Gould, the rules were suspended, Engrossed Substitute House Bill No. 1217, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

Senators Clarke, Gould and Guess 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. 1217, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1217, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 26; nays, 22; excused, 1.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Quigg, Scott, Sellar, von Reichbauer, Woody, Zimmerman—26.

Voting nay: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Pullen, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn—22.

Excused: Senator Talley—1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1217, 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 Clarke, the Senate advanced to the eighth order of business.

On motion of Senator Clarke, the Committee on Energy and Utilities was relieved from further consideration of Senate Bill No. 4995.

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 4995 was placed on the second reading calendar for today.

On motion of Senator Clarke, the Senate returned to the sixth order of business.

SECOND READING

SENATE BILL NO. 4995, by Senator Gould:

Relating to joint operating agencies.

The bill was read the second time by sections.

Senator Gould moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. For the awarding of a contract to purchase any item or items of materials, equipment, or supplies in an amount exceeding five thousand dollars but less than seventy-five thousand dollars, exclusive of sales tax, a joint operating agency may, in lieu of sealed bids, authorize by operating agency resolution a procedure for securing telephone and/or written quotations from at least five vendors, where practical, and for awarding contracts for purchase of materials, equipment, or supplies to the lowest responsible bidder. The procedure shall establish a procurement roster, which shall consist of suppliers and manufacturers who may supply materials or equipment to the operating agency, and shall provide for solicitations which will equitably distribute opportunity for bids among suppliers and manufacturers on the roster. Immediately after the award is made, the bid quotations obtained shall be recorded and shall be posted or otherwise made available for public inspection and copying pursuant to chapter 42.17 RCW at the office of the operating agency or any other officially designated location. Waiver of the deposit or bid bond required for sealed bids may be authorized by the operating agency in securing the bid quotations.

NEW SECTION. Sec. 2. When a joint operating agency constructing or operating a nuclear generating project and associated facilities determines in writing that an emergency endangers the public safety or threatens property damage or that serious financial injury would result if materials, supplies, equipment, or work are not obtained by a certain time, and they cannot be contracted for by that time by means of sealed bids, the operating agency may, in lieu of sealed bids, purchase materials, equipment, or supplies or order work by contract in any amount necessary, after having taken precaution to secure a responsive proposal at the lowest price practicable under the circumstances: **PROVIDED,** That for the purposes of this section the term "serious financial injury" shall mean that the costs attributable to the delay caused by contracting by sealed bids exceed the cost of materials, supplies, equipment or work to be obtained.

NEW SECTION. Sec. 3. When a joint operating agency constructing or operating a nuclear generating project and associated facilities on the project site determines in writing that it is impracticable to secure competition for required materials, equipment, or supplies, it may purchase the materials, equipment, or supplies without competition. The term "impracticable to secure competition" shall include:

(1) When property or services can be obtained from only one person or firm (single source of supply).

(2) When competition is precluded because of the existence of patent rights, copyrights, or secret processes.

(3) When parts or components being procured as replacement parts in support of equipment specially designed by the manufacturer and where data available is not adequate to assure that the part or component will perform the same function in the equipment as the part or component it is to replace.

NEW SECTION. Sec. 4. When a joint operating agency constructing or operating a nuclear generating project determines in writing that it is impracticable to draft an invitation for bids with definitive specifications or any other adequately detailed description of required materials, equipment, or supplies sufficient to determine whether a competitive sealed bid is responsive, execution of a contract shall follow the procedure required in this section.

(1) Proposals shall be solicited through a request for proposals, which shall state the requirements to be met, and responses shall describe professional competence of the offeror, the technical merits of the offer, and the price.

(2) The request for proposals shall be sent to all bidders prequalified under section 5 of this act and shall be given adequate public notice in the same manner as for sealed bids under RCW 54.04.070.

(3) As provided in the request for proposals, the operating agency shall specify at a preproposal conference the contract requirements in the request for proposal, which may include but are not limited to: Schedule, managerial and staffing requirements, productivity and production levels, approved project quality assurance procedures, and time and place for submission of proposals. Any inquiries and responses thereto shall be confirmed in writing and shall be sent to all potential offerors.

(4) Proposals shall be opened so as to avoid disclosure of contents to competing offerors during the process of negotiation. A register of proposals shall be open for public inspection after contract award.

(5) As provided in the request for proposals, invitations shall be sent to all responsible offerors who submit proposals to attend discussions for the purpose of clarification to assure full understanding of, and responsiveness to, the solicitation requirements. Any inquiries and responses thereto shall be confirmed in writing and shall be sent to all offerors. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals, and such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussions, there shall be no disclosure of any information derived from proposals submitted by competing offerors.

(6) The operating agency shall execute a contract with the responsible offeror whose proposal is determined in writing to be the most advantageous to the operating agency taking into consideration the requirements set forth in the request for proposals. The contract file shall contain the basis on which the successful offeror is selected. The operating agency shall conduct a briefing conference on the selection if requested by an offeror.

(7) The contract may be fixed price or cost-reimbursable, in whole or in part, but not cost-plus-percentage-of-cost: PROVIDED, That if it is cost-reimbursable, it shall meet the requirements of RCW 43.52.505.

NEW SECTION. Sec. 5. A joint operating agency shall require that bids upon any construction or improvement of any nuclear generating project and associated facilities shall be made upon the contract bid form supplied by the operating agency, and in no other manner. The operating agency may, before furnishing any person, firm, or corporation desiring to bid upon any work with a contract bid form, require from the person, firm, or corporation, answers to questions contained in a standard

form of questionnaire and financial statement, including a complete statement of the financial ability and experience of the person, firm, or corporation in performing work. The questionnaire shall be sworn to before a notary public or other person authorized to take acknowledgement of deeds and shall be submitted once a year or at such other times as the operating agency may require. Whenever the operating agency is not satisfied with the sufficiency of the answers contained in the questionnaire and financial statement or whenever the operating agency determines that the person, firm, or corporation does not meet all of the requirements set forth in this section, it may refuse to furnish the person, firm, or corporation with a contract bid form and any bid of the person, firm, or corporation must be disregarded. The operating agency shall require that a person, firm, or corporation have all of the following requirements in order to obtain a contract form:

- (1) Adequate financial resources, the ability to secure these resources, or the capability to secure a one hundred percent payment and performance bond;
- (2) The necessary experience, organization, and technical qualifications to perform the proposed contract;
- (3) The ability to comply with the required performance schedule taking into consideration all of its existing business commitments;
- (4) A satisfactory record of performance, integrity, judgment, and skills; and
- (5) Be otherwise qualified and eligible to receive an award under applicable laws and regulations.

The refusal shall be conclusive unless appealed to the superior court of the county where the operating agency is situated or Thurston county within fifteen days, which appeal shall be heard summarily within ten days after the appeal is made and on five days' notice thereof to the operating agency.

The prevailing party in such litigation shall be awarded its attorney fees and costs.

The operating agency shall not be required to make available for public inspection or copying under chapter 42.17 RCW financial information provided under this section.

NEW SECTION. Sec. 6. (1) In lieu of sealed bids in constructing or operating a nuclear generating project and associated facilities, a joint operating agency may solicit quotations and execute a contract for work under this section for a defaulted contract or for a contract terminated in whole or in part, or to consolidate work under several contracts into one contract: **PROVIDED**, That the operating agency shall determine in writing that execution of a contract under this section is less costly to the project than sealed bids, or will substantially expedite completion of the project.

(2) The operating agency shall specify at a prequotation conference the contract requirements in the solicitation, which may include but are not limited to: Schedule, managerial and staffing requirements, productivity and production levels, approved project quality assurance procedures, and time and place for submission of quotations. The solicitation shall be sent to all bidders prequalified for the work under section 5 of this act. The operating agency may issue such solicitation and shall conduct a prequotation conference prior to default or termination of contract(s) to be replaced, to the extent necessary to accomplish orderly transition of work assignments. Any inquiries and responses thereto shall be confirmed in writing and shall be sent to all offerors.

During the prequotation conference, the operating agency shall define in writing the roles, responsibilities, and obligations of persons under the contract and all persons under defaulted, terminated, or consolidated contracts.

(3) After quotations are received by the operating agency, invitations shall be sent to all responsible offerors who submit quotations to attend discussions for the purpose of clarification to assure full understanding of, and responsiveness to, the

requirements of the operating agency. Any inquiries and responses thereto shall be confirmed in writing and shall be sent to all offerors. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of quotations, and such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussions there shall be no disclosure of any information derived from quotations submitted by competing offerors.

(4) The operating agency shall execute a contract with the responsible offeror whose quotation is determined in writing to be the most advantageous to the operating agency. The contract file shall contain the basis on which the successful offeror is selected. The operating agency shall conduct a briefing conference on the selection if requested by an offeror.

(5) The contract may be fixed price or cost-reimbursable, in whole or in part, but not cost-plus-percentage-of-cost: PROVIDED, That if it is cost-reimbursable, it shall meet the requirements of RCW 43.52.505.

(6) In accordance with the contract terms, the operating agency shall give any defaulted or terminated contractor notice and pay the contractor for work performed and termination costs.

NEW SECTION. Sec. 7. (1) Except as provided otherwise in this chapter, a joint operating agency shall purchase any item or items of materials, equipment or supplies, the estimated cost of which is in excess of five thousand dollars exclusive of sales tax, or order work for construction of generating projects and associated facilities, the estimated cost of which is in excess of ten thousand dollars exclusive of sales tax, by contract in accordance with RCW 54.04.070 and 54.04.080, which require sealed bids for contracts.

(2) When a joint operating agency chooses to use one or more of the exceptions to sealed bid contracting specified in this chapter, the agency shall certify to the senate and house committees on energy and utilities and the legislative budget committee in writing within thirty days after the contract is signed, that such contract is in the public interest, state the reason or reasons why, and indicate the estimated cost savings or schedule improvement to the project compared to contracting for the same material, supplies, equipment or work through completion of work as contracted, including termination costs, or through sealed bids.

NEW SECTION. Sec. 8. Sections 1 through 7 of this act shall expire on December 31, 1987, or on the date that construction is completed on those nuclear generating projects which are under construction by any joint operating agency on January 1, 1982, whichever is sooner.

NEW SECTION. Sec. 9. Sections 1 through 8 of this act are each added to chapter 43.52 RCW.

NEW SECTION. Sec. 10. 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. 11. 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."

POINT OF ORDER

Senator Rasmussen: "I would raise a point of order, Mr. President. My point is that this proposed bill, 4995, appeared before us under the number of 1053, that the bill was defeated, was reconsidered, was defeated again, and it is improper for this legislation to be before us. I might say on the point of order that I did not know what bill we were going to consider. They retrieved the title from someplace and attached the bill that has been defeated numerous times here on the floor and it is improper to have it before us at this time."

MOTION

At 3:35 p.m., on motion of Senator Clarke, the Senate was declared to be at ease for the purpose of a Ruling by the President on the amendment by Senator Gould and the Point of Order raised by Senator Rasmussen.

The President called the Senate to order at 4:09 p.m.

RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the point of order raised by Senator Rasmussen, the President finds at the present time that the situation is not covered by either the Senate Rules or Reed's Rules. Lacking this, the President rules that the point of order is not well taken."

The amendment by Senator Gould was ruled in order.

Senator McDermott questioned the presence of a quorum.

The President called upon the Secretary to call the roll.

ROLL CALL

The Secretary called the roll and a quorum was present, by the following vote: Present, 36; absent, 12; excused, 1.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Clarke, Craswell, Deccio, Fuller, Gallagher, Goltz, Gould, Guess, Hansen, Hayner, Hemstad, Hurley, Kiskaddon, Lee, McCaslin, McDermott, Metcalf, Moore, Newhouse, Pullen, Quigg, Rasmussen, Ridder, Scott, Shinpoch, Talmadge, Vognil, Williams, Wilson, Wojahn, Woody, Zimmerman—36.

Voting nay: Senators Charnley, Conner, Fleming, Gaspard, Haley, Hughes, Jones, Lysen, Patterson, Peterson, Sellar, von Reichbauer—12.

Excused: Senator Talley—1.

The motion by Senator Gould carried and the amendment was adopted.

On motion of Senator Gould, the following amendment to the title was adopted:

On page 1, line 1 of the title after "agencies" and before the period insert "; adding new sections to chapter 43.52 RCW; providing an expiration date; and declaring an emergency"

On motion of Senator Gould, the rules were suspended, Engrossed Senate Bill No. 4995 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 Lysen: "Senator Williams, you are an architect and what Senator Bottiger said has got me puzzled in terms of this hard money versus soft money bid. I have been told by nuclear engineers, Joe Bettinger is one of them that comes to mind, that a nuclear reactor is just a way you boil water. It is the same rules of science, mathematics apply to nuclear reactors as well as anything else so he would argue that this would apply. So what is your response to that?"

Senator Williams: "Senator Lysen, I think the point that Senator Bottiger is making is that because plans, specifications, etc. are not available for whatever reason, we then need to go to a noncompetitive selection process which allows for evaluation, etc. The problem with that and the reason that the basic public bidding process is being violated starts at the beginning. In other words, the plans, specifications and so forth are not adequate. There really is no excuse for those kinds of specifications and plans being prepared properly. That is where everything goes off track. It is because of people not wanting to either meet the responsibility or contractual arrangements not being properly drafted between the contractors, in this case design contractors, architects and engineers, and WPPSS and so forth. In other

words, I fail to see any reason why we should not go back and insist that the plans and specs be available so that the proper process of competitive bidding can then be entered into. But the reason we are into this process, and it is not because we have to be into it, it is because a decision was made back a while ago that we no longer need to have specifications and plans properly done."

POINT OF INQUIRY

Senator McDermott: "My question is this. Is there anything in this bill that prevents the breaking down of a particular piece of equipment or a project into its component parts so that it falls within the five thousand to seventy-five thousand dollar range?"

Senator Gould: "I don't think so, no."

Senator McDermott: "I guess your answer is no."

Senator Gould: Yes, my answer is no."

Further debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4995, and the bill passed the Senate by the following vote: Yeas, 29; nays, 18; absent or not voting, 1; excused, 1.

Voting yea: Senators Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fuller, Gallagher, Goltz, Gould, Guess, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Scott, Sellar, Woody, Zimmerman—29.

Voting nay: Senators Bauer, Charnley, Fleming, Gaspard, Hughes, Hurley, Lysen, McDermott, Quigg, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn—18.

Absent or not voting: Senator Haley—1.

Excused: Senator Talley—1.

ENGROSSED SENATE BILL NO. 4995, having received the 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 Clarke, the Senate resumed consideration of Senate Bill No. 4972.

SECOND READING

SENATE BILL NO. 4972, by Senator Zimmerman:

Relating to local government finances.

The Senate resumed consideration of Senate Bill No. 4972 from earlier today. An amendment by Senator Zimmerman had been moved for adoption on April 8, 1982. That amendment is pending, as amended.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Bottiger moved the rules be suspended and the Senate reconsider the vote by which the amendment by Senators Newhouse and Woody to the amendment by Senator Zimmerman was adopted, on reconsideration, earlier today.

PARLIAMENTARY INQUIRY

Senator Newhouse: "Having this amendment reconsidered once and this type of a motion to suspend the rules, is this motion in order and what vote would it take?"

REPLY BY THE PRESIDENT

President Cherberg: "The motion is in order. It would require a two-thirds vote."

Senator Bottiger demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator Bottiger that the rules be suspended and the Senate reconsider the vote by which the amendment by Senators Newhouse and Woody to the amendment by Senator Zimmerman was adopted, on reconsideration earlier today:

ROLL CALL ON MOTION FOR RECONSIDERATION

The Secretary called the roll and the motion failed by the following vote: Yeas, 29; nays, 18; absent or not voting, 1; excused, 1.

Voting yea: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gallagher, Gaspard, Goltz, Gould, Hansen, Hemstad, Hughes, Hurley, Kiskaddon, Lee, Lysen, McDermott, Moore, Peterson, Quigg, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn; Zimmerman—29.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Guess, Hayner, Jones, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Scott, Sellar, von Reichbauer, Woody—18.

Absent or not voting: Senator Haley—1.

Excused: Senator Talley—1.

The President declared the question before the Senate to be adoption of the amendment by Senator Zimmerman, moved for adoption on April 8, 1982, as amended.

Senator Zimmerman demanded a roll call and the demand was sustained.

POINT OF INQUIRY

Senator Wilson: "Senator Zimmerman, I wonder if as Chairman of the Local Government Committee you would explain what the vote means. Now at issue is the scalping amendment which includes the Newhouse amendment and the vote is to whether that amendment goes on the bill. Now what if it doesn't go on it? What bill is it that this is supposed to go on?"

Senator Zimmerman: "Okay, that is right. That is a good question. I really appreciate that because this bill that you are voting on, this bill that is now amended, this striking amendment that is the final bill if we at this point adopt the amendment, is Senate Bill 4972 and that is the outgrowth of 4421 and 1014 and 312 and 749. That is all it happens to follow. That is the end result of those seven, six, five bills. That is what we are voting on. That will be what you are voting on as far as this amendment; that is what will be going over to the Senate (sic). It would hopefully confuse them enough that they probably would not know what they are voting on over there. But I would hope that we would realize that at this point the B&O lid is on there; the amendment is intact and it would be the final bill because all we would have to adopt is the title amendments and . . ."

Senator Wilson: "Senator Zimmerman, if the amendment fails, what will be in the bill that will still be before us then?"

Senator Zimmerman: "No, there is a title."

Senator Wilson: "Just a title. That is what I wanted to know."

Further debate ensued.

POINT OF INQUIRY

Senator Fuller: "Senator Zimmerman, when Senator Newhouse spoke to his amendment he had me persuaded that he was grandfathering these communities into

what they already had and also allowing then an incremental increase. Senator Talmadge made the statement that Seattle was losing nineteen million dollars in one year. Can you verify or . . . ?"

Senator Zimmerman: "Senator Fuller, I wish I could verify whether Seattle would lose nineteen million dollars under this amendment which lids the B&O. The city of Seattle has never said what they would lose under this amendment. Now the amendment was proposed earlier in the bill that we had before the Committee that never did get acted on, so they might not have had a reason to do it at that point. Seattle has not said how much — I had a figure of 3.1 million was what it showed me as far as the figures I had. As to their losing it, they will be gaining the half cent option sales tax. They would be gaining the quarter cent real estate excise tax, so they are not really losing it just flat out. Particularly, they are not losing it until they are going to raise it because it would be in the raise that they are talking about, because the lidding of it is apparently that.

"I am only suggesting that by killing the bill at this point on this basis is unfair to the House; it is unfair to the people that have been involved in terms of the elements that I have described, and it seems that that would be the better part of judgment to let the bill pass, go over there and then certainly you would have time to work on or improve or at that point if the proof is there that it is unworkable and impossible, as Senator Pullen alludes to without knowing much about it, I would suggest then that the bill die over there, but I guess I hate to see it have such an unpretentious death as an amendment that never quite even got born at that level as a title only and so I would urge that you still pass the amendment, pass the bill and see what happens on the other side. But at this point I don't think we have the figures, that anybody knows precisely what that amendment does do, good or bad, and I think that that would be better served by a little more time on the basis of sending it over."

The President declared the question before the Senate to be the roll call on the amendment by Senator Zimmerman, as amended.

ROLL CALL

The Secretary called the roll and the amendment was adopted by the following vote: Yeas, 24; nays, 23; absent or not voting, 1; excused, 1.

Voting yea: Senators Benitz, Bluechel, Clarke, Conner, Deccio, Fuller, Gallagher, Guess, Hansen, Hayner, Jones, Kiskaddon, Lee, Metcalf, Newhouse, Patterson, Peterson, Quigg, Scott, Sellar, Shinpoch, von Reichbauer, Woody, Zimmerman—24.

Voting nay: Senators Bauer, Bottiger, Charnley, Craswell, Fleming, Gaspard, Goltz, Gould, Hemstad, Hughes, Hurley, Lysen, McCaslin, McDermott, Moore, Pullen, Rasmussen, Ridder, Talmadge, Vognild, Williams, Wilson, Wojahn—23.

Absent or not voting: Senator Haley—1.

Excused: Senator Talley—1.

MOTIONS

On motion of Senator Clarke, the Senate advanced to the eighth order of business.

On motion of Senator Clarke, the Committee on Rules was relieved from further consideration of Senate Resolution 1982—188.

On motion of Senator Clarke, the Senate commenced consideration of Senate Resolution 1982—188.

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

SENATE RESOLUTION 1982—188

By Senators Pullen, Lee, Hayner and Goltz:

WHEREAS, A student congress provides fundamental insights into our political process; and

WHEREAS, A student congress provides a unique and valuable learning experience for students enabling the students to actually participate in governmental processes; and

WHEREAS, Participation in a student congress, by teaching the students the fundamental principles of our democratic system, helps create the future leaders of our society; and

WHEREAS, Many legislators, through programs such as a student congress, received their initial learning experiences about legislative procedures; and

WHEREAS, The Washington State Forensics Association is the sponsor of a student congress;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That student congress programs be commended for the invaluable experiences provided to the youth and future leaders of our state; and

BE IT FURTHER RESOLVED, That a student congress sponsored by the Washington State Forensics Association be permitted to use the senate chambers during December 2 through December 4, 1982, if feasible.

MOTION

Senator Rasmussen moved adoption of Senate Concurrent Resolution No. 153.

Senator Rasmussen moved the rules be suspended and the Senate return to the fifth order of business.

An objection was received.

Senator Rasmussen demanded a roll call on the motion to suspend the rules and return to the fifth order of business.

Debate ensued.

MOTION

At 5:15 p.m., on motion of Senator Clarke, 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 was declared to be at ease.

The President called the Senate to order at 8:45 p.m.

Senator Rasmussen raised the question of a quorum.

There being no objection, on motion of Senator Rasmussen, the motion was withdrawn.

MOTION

On motion of Senator Clarke, the Senate returned to the sixth order of business.

SECOND READING

SENATE BILL NO. 4972, by Senator Zimmerman:

Relating to local government finances.

The Senate resumed consideration of Senate Bill No. 4972, as amended earlier today.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, on motion of Senator Clarke, the Senate moved to reconsider the vote by which the amendment by Senator Zimmerman, as amended, was adopted earlier today.

The President declared the question before the Senate to be the amendment by Senator Zimmerman, as amended, on reconsideration.

On motion of Senator Bottiger, the following amendment to the amendment by Senator Zimmerman, as amended, was adopted:

On page 7, after new section 7 added by the Newhouse-Woody amendment, add a new section 8 as follows:

"NEW SECTION. Sec. 8. The qualified voters of any city or town may by majority vote approve rates in excess of the provisions of section 7 of this act."

The amendment by Senator Zimmerman, as amended, was adopted, on reconsideration.

Senator Zimmerman moved adoption of the following amendment to the title:

On page 1, on 4 of the title, after "82.02.020;" strike the remainder of the title and insert "amending section 4, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.030; amending section 5, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.040; amending section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 4, chapter 175, Laws of 1979 ex. sess. and RCW 82.44.150; adding new sections to chapter 35.21 RCW; adding new sections to chapter 82.14 RCW; adding a new chapter to Title 82 RCW; creating new sections; providing an effective date; and declaring an emergency."

On motion of Senator Zimmerman, the following amendment to the title by Senators Newhouse and Woody to the amendment to the title was adopted:

On page 29 on line 24 of the title as shown in the amendment following "82.44.150;" insert: "amending section 6, chapter 134, Laws of 1972 ex. sess. as last amended by section 6, chapter 144, Laws of 1981 and RCW 35.21.710;"

The motion by Senator Zimmerman carried and the amendment to the title, as amended, was adopted.

On motion of Senator Zimmerman, the rules were suspended, Engrossed Senate Bill No. 4972 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

Senators Peterson, Hansen and Benitz demanded the previous question and the demand was sustained.

The President declared the question before the Senate to be the roll call on the final passage of Engrossed Senate Bill No. 4972.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4972, and the bill passed the Senate by the following vote: Yeas, 29; nays, 17; absent or not voting, 2; excused, 1.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Clarke, Conner, Deccio, Fuller, Gallagher, Goltz, Gould, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, Moore, Patterson, Peterson, Quigg, Scott, Sellar, Talmadge, Vognil, von Reichbauer, Woody, Zimmerman—29.

Voting nay: Senators Charnley, Craswell, Fleming, Gaspard, Guess, Hughes, Hurley, McCaslin, McDermott, Metcalf, Pullen, Rasmussen, Ridder, Shinpoch, Williams, Wilson, Wojahn—17.

Absent or not voting: Senators Lysen, Newhouse—2.

Excused: Senator Talley—1.

ENGROSSED SENATE BILL NO. 4972, having received the constitutional majority, as 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 Zimmerman, Engrossed Senate Bill No. 4972 was ordered immediately transmitted to the House.

MOTION

On motion of Senator Clarke, all matters not considered today were ordered deferred for consideration on April 10, 1982.

MOTION

At 9:10 p.m., on motion of Senator Clarke, the Senate adjourned until 9:00 a.m., Saturday, April 10, 1982.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

THIRTIETH DAY

MORNING SESSION

Senate Chamber, Olympia, Saturday, April 10, 1982.

The Senate was called to order at 9:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Bauer, Haley, Lysen, Pullen, Rasmussen, Talley and Woody. There being no objection, Senators Rasmussen and Talley were excused. On motion of Senator Jones, Senator Haley was excused.

The Color Guard, consisting of Pages Scott Staab and David Grant, presented the Colors. Reverend Charles Loyer, former pastor of Westminster United Presbyterian Church of Olympia, offered the prayer.

Reverend Loyer is now retired.

MOTION

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

MESSAGE FROM THE HOUSE

April 9, 1982.

Mr. President: The Speaker has signed: SECOND SUBSTITUTE HOUSE BILL NO. 906, and the same is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: SECOND SUBSTITUTE HOUSE BILL NO. 906.

MESSAGE FROM THE HOUSE

April 8, 1982.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3783 and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

April 9, 1982.

Mr. President:

Mr. Speaker:

We of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3783, authorizing the physical revaluation of property every six years if statistical adjustments are made, have had the same under consideration, and we recommend the following:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 84.41.030, chapter 15, Laws of 1961 as amended by section 6, chapter 288, Laws of 1971 ex. sess. and RCW 84.41.030 are each amended to read as follows:

Each county assessor shall maintain an active and systematic program of revaluation on a continuous basis, and shall establish a revaluation schedule which will result in revaluation of all taxable real property within the county at least once each four years and physical inspection of all taxable real property within the county at least once each six years.

Sec. 2. Section 2, chapter 131, Laws of 1974 ex. sess. as amended by section 9, chapter 214, Laws of 1979 ex. sess. and RCW 84.41.041 are each amended to read as follows:

Each county assessor shall cause taxable real property to be physically inspected and valued at least once every (~~four~~) six years in accordance with RCW 84.41.030, and in accordance with a plan filed with and approved by the department of revenue. Such revaluation plan shall provide that a reasonable portion of all taxable real property within a county shall be revalued and these newly-determined values placed on the assessment rolls each year. If the revaluation plan provides for physical inspection at least once each four years, during the intervals between each physical inspection of real property, the valuation of such property may be adjusted to its current true and fair value, such adjustments to be based upon appropriate statistical data. If the revaluation plan provides for physical inspection less frequently than once each four years, during the intervals between each physical inspection of real property, the valuation of such property shall be adjusted to its current true and fair value, such adjustments to be made once each year and to be based upon appropriate statistical data.

The assessor may require property owners to submit pertinent data respecting taxable property in their control including data respecting any sale or purchase of said property within the past five years, the cost and characteristics of any improvement on the property and other facts necessary for appraisal of the property.

Sec. 3. Section 84.41.090, chapter 15, Laws of 1961 as amended by section 200, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.41.090 are each amended to read as follows:

The department of revenue shall by rule establish appropriate statistical methods for use by assessors in adjusting the valuation of property between physical inspections. The department of revenue shall make and publish such additional rules, regulations and guides which it determines are needed to supplement materials presently published by the department of revenue for the general guidance and assistance of county assessors. Each assessor is hereby directed and required to value property in accordance with the standards established by RCW 84.40.030 and in accordance with the applicable rules, regulations and valuation manuals published by the department of revenue.

Sec. 4. Section 36.21.080, chapter 4, Laws of 1963 as last amended by section 3, chapter 274, Laws of 1981 and RCW 36.21.080 are each amended to read as follows:

(1) The county assessor is authorized to place any property under the provisions of RCW 36.21.040 through 36.21.080 on the assessment rolls for the purposes of tax levy up to (~~(May 31st)~~) August 31st of each year. The assessed valuation of property under the provisions of RCW 36.21.040 through 36.21.080 shall be considered as of (~~(the April 30th immediately preceding the date that the property is placed on the assessment rolls)~~) July 31st of that year.

(2) If, on or before December 31 in any calendar year, any real or personal property placed upon the assessment roll of that year is destroyed in whole or in part, or is in an area that has been declared a disaster area by the governor and has been reduced in value by more than twenty percent as a result of a natural disaster,

the true cash value of such property shall be reduced for that year by an amount determined as follows, without necessity of taxpayer application under chapter 84.70 RCW:

(a) First take the true cash value of such taxable property before destruction or reduction in value and deduct therefrom the true cash value of the remaining property after destruction or reduction in value.

(b) Then divide any amount remaining by twelve and multiply the quotient by the number of months or major fraction thereof remaining after the date of the destruction or reduction in value of the property.

Sec. 5. Section 84.40.040, chapter 15, Laws of 1961 as last amended by section 97, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.40.040 are each amended to read as follows:

The assessor shall begin the preliminary work for each assessment not later than the first day of December of each year in all counties in the state. He shall also complete the duties of listing and placing valuations on all property by May 31st of each year, except that the listing and valuation of construction under RCW 36.21-.040 through 36.21.080 shall be completed by August 31st of each year, and in the following manner, to wit:

He shall actually determine as nearly as practicable the true and fair value of each tract or lot of land listed for taxation and of each improvement located thereon and shall enter one hundred percent of the value of such land and of the total value of such improvements, together with the total of such one hundred percent valuations, opposite each description of property on his assessment list and tax roll.

He shall make an alphabetical list of the names of all persons in his county liable to assessment of personal property, and require each person to make a correct list and statement of such property according to the standard form prescribed by the department of revenue, which statement and list shall include, if required by the form, the year of acquisition and total original cost of personal property in each category of the prescribed form, and shall be signed and verified under penalty of perjury by the person listing the property. Such list and statement shall be filed on or before the last day of March, but the assessor, upon written request filed on or before such date and for good cause shown therein, shall allow a reasonable extension of time for filing. The assessor shall on or before the 1st day of January of each year mail a notice to all such persons at their last known address that such statement and list is required, such notice to be accompanied by the form on which the statement or list is to be made: **PROVIDED**, That the notice mailed by the assessor to each taxpayer each year shall, if practicable, include the statement and list of personal property of the taxpayer for the preceding year. Upon receipt of such statement and list the assessor shall thereupon determine the true and fair value of the property included in such statement and enter one hundred percent of the same in the assessment books opposite the name of the party assessed; and in making such entry in his assessment list, he shall give the name and post office address of the party listing the property, and if the party resides in a city the assessor shall give the street and number or other brief description of his residence or place of business. The assessor may, after giving written notice of his action to the person to be assessed, add to the assessment list any taxable property which, in his judgment, should be included in such list.

Sec. 6. Section 42, chapter 26, Laws of 1967 ex. sess. as amended by section 2, chapter 284, Laws of 1977 ex. sess. and RCW 82.03.130 are each amended to read as follows:

The board shall have jurisdiction to decide the following types of appeals:

(1) Appeals taken pursuant to RCW 82.03.190.

(2) Appeals from a county board of equalization pursuant to RCW 84.08.130.

(3) Appeals by an assessor or landowner from an order of the director of revenue made pursuant to RCW 84.08.010 and 84.08.060, the right to such an appeal being hereby established.

(4) Appeals by an assessor or owner of an intercounty public utility or private car company from determinations by the director of revenue of equalized assessed valuation of property and the apportionment thereof to a county made pursuant to chapter 84.12 RCW and 84.16 RCW, the right to such appeal being hereby established.

(5) Appeals by an assessor, landowner, or owner of an intercounty public utility or private car company from a determination of any county indicated ratio for such county compiled by the department of revenue pursuant to RCW 84.48.075: PROVIDED, That

(a) Said appeal be filed after review of the ratio (~~by the assessor with the department of revenue and upon or before August 11th~~) under RCW 84.48.075(3) and not later than fifteen days after the date of certification as required by RCW 84.48.075; and

(b) The hearing before the board shall be expeditiously held in accordance with rules prescribed by the board and shall take precedence over all matters of the same character.

Sec. 7. Section 3, chapter 284, Laws of 1977 ex. sess. and RCW 84.48.075 are each amended to read as follows:

(1) The department of revenue shall annually, prior to the first Monday in August, determine ~~(the)~~ and submit to each assessor a preliminary indicated ratio for each county: PROVIDED, That the department shall establish rules and regulations pertinent to the determination of the indicated ratio, the indicated real property ratio and the indicated personal property ratio: PROVIDED FURTHER, That these rules and regulations may provide that data, as is necessary for said determination, which is available from the county assessor of any county and which has been audited as to its validity by the department, ~~(may)~~ shall be utilized by the department in determining the indicated ratio.

(2) To such extent as is reasonable, the department may define use classes of property for the purposes of determination of the indicated ratio. Such use classes may be defined with respect to property use and may include agricultural, open space, timber and forest lands.

(3) The department shall review each county's preliminary ratio with the assessor, a landowner, or an owner of an intercounty public utility or private car company of that county, if requested by the assessor, a landowner, or an owner of an intercounty public utility or private car company of that county, respectively, between the first and third Mondays of August. Prior to equalization of assessments pursuant to RCW 84.48.080(, but no later than August 1st, the department shall submit its findings or preliminary findings to each of the county assessors allowing a reasonable time for review by the assessor)) and after the third Monday of August, the department shall certify to each county assessor the real and personal property ratio for that county.

(4) The department of revenue shall also examine procedures used by the assessor to assess real and personal property in the county, including calculations, use of prescribed value schedules, and efforts to locate all taxable property in the county. If any examination by the department discloses other than market value is being listed on the county assessment rolls of the county by the assessor and, after due notification by the department, is not corrected, the department of revenue shall, in accordance with rules adopted by the department, adjust the ratio of that type of property, which adjustment shall be used for determining the county's indicated ratio.

Sec. 8. Section 43, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.140 are each amended to read as follows:

In all appeals over which the board has jurisdiction under RCW 82.03.130, a party taking an appeal may elect either a formal or an informal hearing, such election to be made according to rules of practice and procedure to be promulgated by the board: **PROVIDED, HOWEVER,** That nothing herein shall be construed to modify the provisions of RCW 82.03.190: **AND PROVIDED FURTHER,** That upon an appeal under RCW 82.03.130(5), the director of revenue may, within ten days from the date of its receipt of the notice of appeal, file with the clerk of the board notice of its intention that the hearing be held pursuant to chapter 34.04 RCW. In the event that appeals are taken from the same decision, order, or determination, as the case may be, by different parties and only one of such parties elects a formal hearing, a formal hearing shall be granted.

Sec. 9. Section 47, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.180 are each amended to read as follows:

Judicial review of a decision of the board of tax appeals shall be de novo in accordance with the provisions of RCW 82.32.180 or 84.68.020 as applicable except when the decision has been rendered pursuant to a formal hearing elected under RCW 82.03.140 or 82.03.190, in which event judicial review may be obtained only pursuant to RCW 34.04.130 and 34.04.140: **PROVIDED, HOWEVER,** That nothing herein shall be construed to modify the rights of a taxpayer conferred by RCW 82.32.180 and 84.68.020 to sue for tax refunds: **AND PROVIDED FURTHER,** That no review from a decision made pursuant to RCW 82.03.130(1) may be obtained by a taxpayer unless within the petition period provided by RCW 34.04.130 the taxpayer shall have first paid in full the contested tax, together with all penalties and interest thereon, if any. The director of revenue shall have the same right of review from a decision made pursuant to RCW 82.03.130(1) as does a taxpayer; and the director of revenue and all parties to an appeal under RCW 82.03.130(5) shall have the right of review from a decision made pursuant to RCW 82.03.130(5).

NEW SECTION. Sec. 10. There is added to chapter 84.40 RCW a new section to read as follows:

For the purpose of assessment and valuation of all taxable property in each county, any real or personal property in each county shall be subject to visitation, investigation, examination, discovery, and listing at any reasonable time by the county assessor of the county or by any employee thereof designated for this purpose by the assessor.

In any case of refusal to such access, the assessor shall request assistance from the department of revenue which may invoke the power granted by chapter 84.08 RCW.

Sec. 11. Section 84.08.060, chapter 15, Laws of 1961 as amended by section 150, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.08.060 are each amended to read as follows:

The department of revenue shall have power to direct and to order any county board of equalization to raise or lower the valuation of any taxable property, or to add any property to the assessment list, or to perform or complete any other duty required by statute. The department of revenue may require any such board of equalization to reconvene after its adjournment for the purpose of performing any order or requirement made by the department of revenue and may make such orders as it shall determine to be just and necessary. The department may require any county board of equalization to reconvene at any time for the purpose of performing or completing any duty or taking any action it might lawfully have performed or taken at any of its previous regular July, November or April meetings. If such board of equalization shall fail or refuse forthwith to comply with any such order or

requirement of the department of revenue, the department of revenue shall have power to take any other appropriate action, or to make such correction or change in the assessment list, and such corrections and changes shall be a part of the record of the proceedings of the said board of equalization; PROVIDED, That in all cases where the department of revenue shall raise the valuation of any property or add property to the assessment list, it shall give notice either for the same time and in the same manner as is now required in like cases of county boards of equalization, or if it shall deem such method of giving notice impracticable it shall give notice by publication thereof in a newspaper of general circulation within the county in which the property affected is situated once each week for two consecutive weeks, and the department of revenue shall not proceed to raise such valuation or add such property to the assessment list until a period of five days shall have elapsed subsequent to the date of the last publication of such notice; PROVIDED FURTHER, That appeals to the board of tax appeals by any taxpayer or taxing unit concerning any action of the county board of equalization shall not raise the valuation of the property to an amount greater than the larger of either the valuation of the property by the county assessor or the valuation of the property assigned by the county board of equalization. Such notice shall give the legal description of each tract of land involved, or a general description in case of personal property; the tax record-owner thereof; the assessed value thereof determined by the county board of equalization in case the property is on the assessment roll; and the assessed value thereof as determined by the department of revenue and shall state that the department of revenue proposes to increase the assessed valuation of such property to the amount stated and to add such property to the assessment list at the assessed valuation stated. The necessary expense incurred by the department of revenue in making such reassessment and/or adding such property to the assessment list shall be borne by the county or township in which the property as reassessed and/or so added to the assessment list is situated and shall be paid out of the proper funds of such county upon the order of the department of revenue.

NEW SECTION. Sec. 12. Sections 1 through 5 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."

On page 1, on line 1 of the title, after "property;" strike the remainder of the title and insert "amending section 84.41.030, chapter 15, Laws of 1961 as amended by section 6, chapter 288, Laws of 1971 ex. sess. and RCW 84.41.030; amending section 2, chapter 131, Laws of 1974 ex. sess. as amended by section 9, chapter 214, Laws of 1979 ex. sess. and RCW 84.41.041; amending section 84.41.090, chapter 15, Laws of 1961 as amended by section 200, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.41.090; amending section 36.21.080, chapter 4, Laws of 1963 as last amended by section 3, chapter 274, Laws of 1981 and RCW 36.21.080; amending section 84.40.040, chapter 15, Laws of 1961 as last amended by section 97, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.40.040; amending section 42, chapter 26, Laws of 1967 ex. sess. as amended by section 2, chapter 284, Laws of 1977 ex. sess. and RCW 82.03.130; amending section 3, chapter 284, Laws of 1977 ex. sess. and RCW 84.48.075; amending section 43, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.140; amending section 47, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.180; amending section 84.08.060, chapter 15, Laws of 1961 as amended by section 150, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.08.060; adding a new section to chapter 84.40 RCW; and declaring an emergency."

Signed by: Senators Craswell and Newhouse; Representatives Greengo and Amen.

MOTION

On motion of Senator Newhouse, the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 3783 was adopted.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 3783, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 34; nays, 8; absent or not voting, 4; excused, 3.

Voting yea: Senators Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallaghan, Goltz, Gould, Guess, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Ridder, Scott, Sellar, Shipoch, Talmadge, von Reichbauer, Zimmerman—34.

Voting nay: Senators Charnley, Gaspard, Hughes, Hurley, Vognild, Williams, Wilson, Wojahn—8.

Absent or not voting: Senators Bauer, Lysen, Pullen, Woody—4.

Excused: Senators Haley, Rasmussen, Talley—3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3783, 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

April 9, 1982.

Mr. President: The House has receded from its amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 5007 on page 2, after line 27 inserting NEW SECTIONS 3, 4, 5, 6, 7, 8, 9, 10 and 11, and the title amendment thereto and insists upon its amendment to page 1, line 14 after "leave" insert ": PROVIDED FURTHER, That this section shall not apply to any employee covered by chapter 41.26 RCW", and the same is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

MOTION

On motion of Senator Newhouse, the Senate concurred in the remaining House amendment to Senate Bill No. 5007.

POINT OF INQUIRY

Senator Vognild: "Senator Newhouse, do I correctly understand this bill that the provisions apply only to terminations, either by death, reduction in force, resignation, dismissal or retirement, but only to terminations?"

Senator Newhouse: "That is my understanding, Senator Vognild."

Senator Vognild: "Thank you, Senator. One further question. If I understand it correctly, the provisions of this bill will not affect local government's management prerogatives in regard to stacking vacations or even pay in lieu of vacations as long as it does not have the effect of increasing a pension."

Senator Newhouse: "That is my intention and that is my belief as to what the bill does."

Senator Vognild: "Thank you, Senator."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5007, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 40; nays, 4; absent or not voting, 2; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Hansen, Hayner, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Scott, Sellar, Shipoch, Talmadge, Vognild, von Reichbauer, Williams, Wojahn, Woody, Zimmerman—40.

Voting nay: Senators Hemstad, McDermott, Ridder, Wilson—4.

Absent or not voting: Senators Lysen, Pullen—2.

Excused: Senators Haley, Rasmussen, Talley—3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5007, 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 FOR RECONSIDERATION

Senator Scott moved the rules be suspended and the Senate reconsider the vote by which Engrossed House Bill No. 1230 failed to pass the Senate.

POINT OF ORDER

Senator Lee: "Mr. President, I believe that I object to the suspension of the rules."

REPLY BY THE PRESIDENT

President Cherberg: "It would take a two-thirds vote, Senator."

PARLIAMENTARY INQUIRY

Senator Lee: "Mr. President, does it not also have to be taken on the following day? The suspension of the rules on Rule 35 says that a rule or order may be temporarily suspended for a special purpose by a vote of two-thirds when the suspension of the rule is called and after due notice from the President no objection is offered, then the rule may be suspended, but that if otherwise one day's notice of the motion thereof must be provided."

President Cherberg: "What rule were you reading from, Senator?"

Senator Lee: "I was reading from Rule 35, suspension of the rule. Actually it is the first part that mentions the one day notice provision and it is the one thereafter that mentions the way in which that one day notice provision is waived."

REMARKS BY SENATOR CLARKE

Senator Clarke: "Rule 35 as I understand it relates to a proposed change in the rules, not a suspension."

REPLY BY THE PRESIDENT

President Cherberg: "Senator Clarke's remarks are well taken. The President does not understand what point you are trying to make, Senator Lee. Let's ask Senator Lee what she is trying to make and then we will get to you, Senator Talmadge."

Debate ensued.

REMARKS BY SENATOR LEE

Senator Lee: "Mr. President, the title of the entire section is suspension of the rule and the writing of that rule and as we had yesterday when the case of the over-riding of the Governor's veto, notice was given on one day and then we the following day took the reading on it. This particular one says, 'No standing rule or order shall be rescinded or changed without a majority vote of the members and one day's notice of the motion thereof.'"

REPLY BY THE PRESIDENT

President Cherberg: "Yes, Senator, that is true."

REMARKS BY SENATOR TALMADGE

Senator Talmadge: "Mr. President, I think the point of order that Senator Lee is trying to raise is that ordinarily on the reading of bills under Rule 67 the rules can be suspended by a majority vote in the last ten days of the session, but Rule 35 relating to the suspension of the rules is fairly explicit that you have to have a two-thirds majority to go back, and I think the point that Senator Lee is attempting to raise is that it is a two-thirds vote in order to suspend the rules."

REPLY BY THE PRESIDENT

President Cherberg: "That is exactly the way the President ruled, Senator Talmadge."

Further debate ensued.

The President declared the question before the Senate to be the motion by Senator Scott that the rules be suspended and the Senate reconsider the vote by which Engrossed House Bill No. 1230 failed to pass the Senate.

Senator Scott demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator Scott that the rules be suspended and the Senate reconsider the vote by which Engrossed House Bill No. 1230 failed to pass the Senate.

ROLL CALL ON MOTION FOR RECONSIDERATION

The Secretary called the roll and the motion carried by the following vote: Yeas, 30; nays, 14; absent or not voting, 2; excused, 3.

Voting yea: Senators Bauer, Benitz, Bluechel, Charnley, Clarke, Conner, Fleming, Fuller, Gallagher, Gould, Guess, Hansen, Hayner, Hemstad, Jones, Kiskaddon, McDermott, Metcalf, Moore, Newhouse, Patterson, Quigg, Ridder, Scott, Sellar, Shinpoch, Vognild, Williams, Woody, Zimmerman—30.

Voting nay: Senators Bottiger, Craswell, Deccio, Gaspard, Goltz, Hughes, Hurley, Lee, McCaslin, Peterson, Talmadge, von Reichbauer, Wilson, Wojahn—14.

Absent or not voting: Senators Lysen, Pullen—2.

Excused: Senators Haley, Rasmussen, Talley—3.

THIRD READING

ENGROSSED HOUSE BILL NO. 1230, by Committee on Ways and Means (originally sponsored by Committee on Ways and Means and Representative Chandler):

Modifying appropriations for capital facilities.

The bill was read the third time and placed on final passage.

The President declared the question before the Senate to be the roll call on the final passage of Engrossed House Bill No. 1230, as amended by the Senate.

POINT OF INQUIRY

Senator Wilson: "Senator Scott, I am not on Ways and Means and probably have an imperfect understanding of all this, but I do have a couple of questions. One is, supposing a — following the spread sheet here — a major project gets started such as the new prison or the Metro project, spring '82 and it starts to get these various amounts of money and then we come to spring of fiscal year '83 when the convention center is down for ninety-nine million and shortly thereafter hit the seven percent ceiling. Does that mean then that the convention center gets its entire ceiling. Does that mean then that the convention center gets its entire ninety-nine million since it came in under the ceiling but these other projects which had been started and need further funding for completion beyond spring of fiscal year '83 simply would not get it, that it would dry up and it would be impossible to finish?"

Senator Scott: "Senator Wilson, all of the projects would be in the same predicament. If we were up against the capital budget lid, either certain of the projects would have to be slowed down or, for instance, the jail projects on top and/or projects further down the line would have to be delayed or King County, for instance, would have to come up with the reserve money that is built into the convention center bill in order to keep the project moving. Bonds are let by the State Finance Committee on an as needed basis so that the agency that is doing the construction doesn't get added interest from bonds that have been sold and yet the money hasn't been used."

Senator Wilson: "Thank you. A second question is, in the bill is a list of priorities in various categories. My recollection is that wastewater has one of the lowest priorities. However, wastewater is down for an initial thirty million dollars in the spring of fiscal year '82. My question is, would wastewater get that thirty million even though its priority is lower than some other projects which have higher priorities but are scheduled for later dates?"

Senator Scott: "The answer is, Senator Wilson, it depends on which wastewater project you are talking about. The sequence here basically reflects legislative intent and what we have already passed. For instance, you see priority A is existing contractual obligations. Those would be carried forward, existing projects. The Social and Health Services — the jail improvement construction whether we had authorized it in '79 or '81 would continue to get a B level priority. The priority C, when you begin to move down through sub (5), fisheries facilities, salmon enhancement, general administration, that is where you get into the marginal areas and those bonds may not all be let, on down through the wastewater facilities of '72, '79 and '80. The projects that have been begun and authorized in '72 and '79 and '80 and are already underway will be carried through to completion first. Fisheries yesterday told me, and I would have no way of validating this information, that some of the things that are on their capital construction list are less cost-efficient than the ones that are already there and that they are having to cut back. They don't have the money to operate them now even if they were to build them."

Senator Wilson: "Okay, one final question then. It looks like there is something like six hundred million in bonds that could be authorized under the seven percent based on an interest rate assumption, and my final question is, what is your current estimate as to the total amount of bonds that the Legislature has approved in comparison to, say, six hundred million that can still be authorized and sold?"

Senator Scott: "The total outstanding on the capital budget is one billion nine hundred and eighty-five million, seven hundred and eighty-six thousand and twenty-five."

Senator Wilson: "Thank you."

Further debate ensued.

POINT OF INQUIRY

Senator Goltz: "I am looking at the flow sheet that you have distributed and as I look at the spring 1984 fiscal year bond sale scenario, and looking over at the debt service scenario, it appears to me that if the bonds were sold according to this schedule at those assumed interest rates, the Metro project would not be able to sell any further bonds in the fall of 1985. Is that correct?"

Senator Scott: "That is correct. We would be up against the seven percent."

Senator Goltz: "Under this scenario then, the Metro project would be started but would have to be stopped in the middle of the project?"

Senator Scott: "This is conditioned on the assumption, Senator Goltz, the economy will have either recovered or we will have a lot more to worry about two and one-half years from now."

Further debate ensued.

POINT OF INQUIRY

Senator Vognild: "Senator Scott, I have a letter here dated March 24 addressed to yourself and Representative Rod Chandler from Joe Taller. Reading briefly from one piece of it, it says, 'The Office of Financial Management will not approve further allotment for expenditure of funds on the Fire Service Training Center without additional appropriation authority or explicit direction from the Legislature.' Would you consider this document to satisfy those?"

Senator Scott: "This is explicit direction and the Fire Service Training Center, together with the marine portion thereof, is included in this document."

Senator Vognild: "Then you feel this would be legislative direction for them to

Senator Scott: "This is the go-ahead, Senator."

REMARKS BY SENATOR SCOTT

Senator Scott: "Responding further to Senator Goltz's remarks that we are going to have an aborted project in Metro, Metro is supplying sixty-five percent of the money for the project. If it comes to it, they will raise revenues locally to keep the project going. The hundred and fifty million dollars you see here represents only a fraction of less than a third of the cost of that project. As I indicated the other night when we were discussing whether this was a displacement or not, Metro has gotten and King County has gotten just nineteen percent of both federal, state and grant money for like projects over the last decade and are expected to get no more than twenty percent during the coming decade, even though there is thirty percent of the population of the state within King County."

Further debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1230, as amended by the Senate and the bill on reconsideration, passed the Senate by the following vote: Yeas, 31; nays, 15; absent or not voting, 1; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gould, Guess, Hansen, Hayner, Hemstad, Jones, Kiskaddon, McDermott, Metcalf, Moore, Newhouse, Patterson, Quigg, Ridder, Scott, Shinpoch, Vognild, Williams, Woody, Zimmerman—31.

Voting nay: Senators Bottiger, Gaspard, Goltz, Hughes, Hurlley, Lee, Lysen, McCaslin, Peterson, Rasmussen, Sellar, Talmadge, von Reichbauer, Wilson, Wojahn—15.

Absent or not voting: Senator Pullen—1.

Excused: Senators Haley, Talley—2.

ENGROSSED HOUSE BILL NO. 1230, as amended by the Senate, 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.

SIGNED BY THE PRESIDENT

The President signed: SUBSTITUTE SENATE BILL NO. 3783.

MOTION

At 10:12 a.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 12:14 p.m.

MOTION

At 12:14 p.m., on motion of Senator Jones, the Senate was declared to be in recess until 1:30 p.m.

AFTERNOON SESSION

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

MOTION

At 1:55 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 3:40 p.m.

MOTION

On motion of Senator Clarke, the Senate returned to the fourth order of business.

MESSAGES FROM THE HOUSE

April 10, 1982.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 796 and has passed the bill as amended by the Senate.

PATRICIA M. WILLIAMS, Chief Clerk.

April 10, 1982.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 795 and has passed the bill as amended by the Senate.

PATRICIA M. WILLIAMS, Chief Clerk.

April 10, 1982.

Mr. President: The House has passed: ENGROSSED SUBSTITUTE SENATE BILL NO. 5007 without the House amendment to page 2, after line 27 inserting NEW SECTIONS 3, 4, 5, 6, 7, 8, 9, 10 and 11, and the title amendment thereto, and the same is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

MOTION

At 3:42 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 4:00 p.m.

SIGNED BY THE PRESIDENT

The President signed: SUBSTITUTE SENATE BILL NO. 5007.

MESSAGES FROM THE HOUSE

April 10, 1982.

Mr. President: The Speaker has signed: SUBSTITUTE SENATE BILL NO. 3783, and the same is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

April 9, 1982.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 4250 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 8, Laws of 1981 2nd ex. sess. and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to four and one-half percent of the selling price: **PROVIDED**, That from and after the first day of December, 1981, until and including the thirtieth day of (~~June, 1983~~) April, 1982, such tax shall be levied and collected in an amount equal to five and five-tenths percent of the selling price: **PROVIDED FURTHER**, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, such tax shall be levied and collected in an amount equal to the rate specified in section 31 of this 1982 act multiplied by the selling price.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 2. Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 324, Laws of 1977 ex. sess. and RCW 82.04.2901 are each amended to read as follows:

From and after the first day of (~~June, 1976~~) April, 1982, until and including the thirtieth day of June, (~~1979~~) 1983, there is levied and shall be collected from every person for the act or privilege of engaging in business activities, as a part of the tax imposed by the provisions of RCW 82.04.220 through 82.04.290, inclusive, an additional tax (~~in the amount of six percent of~~) equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under the provisions of RCW 82.04.220 through 82.04.290, inclusive. To facilitate collection of this additional tax, the department of revenue is authorized to adjust the basic rates of persons to which this section applies in such manner as to reflect the amount to the nearest one-thousandth of one percent of the additional tax hereby imposed, adjusting ten-thousandths equal to or greater than five ten-thousandths to the greater thousandth.

Sec. 3. Section 82.08.150, chapter 15, Laws of 1961 as last amended by section 25, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected a tax upon each retail sale of spirits, or strong beer in the original package at the rate of fifteen percent of the selling price. The tax imposed in this subsection shall apply to all such sales including sales by the Washington state liquor stores and agencies, but excluding sales to class H licensees.

(2) There is levied and shall be collected a tax upon each sale of spirits, or strong beer in the original package at the rate of ten percent of the selling price on sales by Washington state liquor stores and agencies to class H licensees.

(3) There is levied and shall be collected an additional tax upon each retail sale of spirits in the original package at the rate of one dollar and seventy-two cents per liter. The additional tax imposed in this subsection shall apply to all such sales including sales by Washington state liquor stores and agencies, and including sales to class H licensees.

(4) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the taxes payable under subsections (1), (2), and (3) of this section.

(5) The tax imposed in RCW 82.08.020, as now or hereafter amended, shall not apply to sales of spirits or strong beer in the original package.

~~((5))~~ (6) The taxes imposed in this section shall be paid by the buyer to the seller, and each seller shall collect from the buyer the full amount of the tax payable in respect to each taxable sale under this section. The taxes required by this section to be collected by the seller shall be stated separately from the selling price and for purposes of determining the tax due from the buyer to the seller, it shall be conclusively presumed that the selling price quoted in any price list does not include the taxes imposed by this section.

~~((6))~~ (7) As used in this section, the terms, "spirits," "strong beer," and "package" shall have the meaning ascribed to them in chapter 66.04 RCW.

Sec. 4. Section 82.08.160, chapter 15, Laws of 1961 as last amended by section 26, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.160 are each amended to read as follows:

On or before the twenty-fifth day of each month, all taxes collected under RCW 82.08.150 during the preceding month shall be remitted to the state department of revenue, to be deposited with the state treasurer. Upon receipt of such moneys the state treasurer shall credit sixty-five percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) and one hundred percent of the sums collected and remitted under RCW 82.08.150 (3) and (4) to the state general fund and thirty-five percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) to a fund which is hereby created to be known as the "liquor excise tax fund."

Sec. 5. Section 82.16.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 299, Laws of 1971 ex. sess. and RCW 82.16.020 are each amended to read as follows:

(1) There is levied and there shall be collected from every person a tax for the act or privilege of engaging within this state in any one or more of the businesses herein mentioned. The tax shall be equal to the gross income of the business, multiplied by the rate set out after the business, as follows:

~~((1))~~ (a) Railroad, express, railroad car, water distribution, light and power, telephone and telegraph businesses: Three and six-tenths percent;

~~((2))~~ (b) Gas distribution business: Three percent;

~~((3))~~ (c) Urban transportation business: Six-tenths of one percent;

~~((4))~~ (d) Vessels under sixty-five feet in length, except tugboats, operating upon the waters within the state: Six-tenths of one percent;

~~((5))~~ (e) Motor transportation and tugboat businesses, and all public service businesses other than ones mentioned above: One and eight-tenths of one percent.

(2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (1) of this section.

Sec. 6. Section 82.16.030, chapter 15, Laws of 1961 and RCW 82.16.030 are each amended to read as follows:

Every person engaging in businesses which are within the purview of two or more of schedules ~~((1), (2), (3), (4) and (5))~~ (a), (b), (c), (d), and (e) of RCW 82.16.020(1), shall be taxable under each schedule applicable to the businesses engaged in.

Sec. 7. Section 82.20.010, chapter 15, Laws of 1961 and RCW 82.20.010 are each amended to read as follows:

(1) There is levied and there shall be collected a tax upon conveyances as follows: On any deed, instrument, or writing (unless deposited in escrow before May 1, 1935), whereby any lands, tenements, or other realty sold shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser, or any other person by his direction, when the consideration or value of the interest or property conveyed, exclusive of the value of any lien or encumbrance remaining thereon at the time of sale, exceeds one hundred dollars and does not exceed five hundred dollars or fractional part thereof, fifty cents; and for each additional five hundred dollars or fractional part thereof, fifty cents.

(2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (1) of this section.

(3) This section shall not apply to any instrument or writing, given to secure a debt, nor to any conveyance to the state.

Sec. 8. Section 82.24.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 172, Laws of 1981 and RCW 82.24.020 are each amended to read as follows:

(1) There is levied and there shall be collected as hereinafter provided, a tax upon the sale, use, consumption, handling, possession or distribution of all cigarettes, in an amount equal to the rate of eight and one-half mills per cigarette. For purposes of this chapter and RCW 28A.47.440, "possession" shall mean both ~~((1))~~ (a) physical possession by the purchaser and, ~~((2))~~ (b) when cigarettes are being transported to or held for the purchaser or his designee by a person other than the purchaser, constructive possession by the purchaser or his designee, which constructive possession shall be deemed to occur at the location of the cigarettes being so transported or held.

(2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (1) of this section, RCW 82.24.025, and 28A.47.440.

Sec. 9. Section 82.26.020, chapter 15, Laws of 1961 as last amended by section 71, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.26.020 are each amended to read as follows:

(1) From and after June 1, 1971, there is levied and there shall be collected a tax upon the sale, use, consumption, handling, or distribution of all tobacco products in this state at the rate of forty-five percent of the wholesale sales price of such tobacco products. Such tax shall be imposed at the time the distributor (a) brings, or causes to be brought, into this state from without the state tobacco products for sale, (b) makes, manufactures, or fabricates tobacco products in this state for sale in this state, or (c) ships or transports tobacco products to retailers in this state, to be sold by those retailers.

~~(2) ((A floor stocks tax is hereby imposed upon every distributor of tobacco products at the rate of twenty-five percent of the wholesale sales price of each tobacco product in his possession or under his control on July 1, 1959.~~

~~Each distributor, within twenty days after July 1, 1959 shall file a report with the department, in such form as the department may prescribe, showing the tobacco products on hand on July 1, 1959 and the amount of tax due thereon:~~

~~The tax imposed by this subdivision shall be due and payable within twenty days after July 1, 1959 and thereafter shall bear interest at the rate of one percent per month:)) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (1) of this section.~~

Sec. 10. Section 2, chapter 98, Laws of 1980 and RCW 82.27.020 are each amended to read as follows:

(1) In addition to all other taxes, licenses, or fees provided by law there is established an excise tax on the possession of food fish and shellfish for commercial purposes as provided in this chapter. The tax is levied upon and shall be collected from the owner of the food fish or shellfish whose possession constitutes the taxable event. The taxable event is the first possession by an owner after the food fish or shellfish have been landed. Processing and handling of food fish and shellfish by a person who is not the owner is not a taxable event to the processor or handler.

(2) A person in possession of food fish and shellfish and liable to this tax may deduct from the price paid to the person from which such food fish or shellfish (except oysters) are purchased an amount equal to a tax at one-half the rate levied in this section upon these products.

(3) The measure of the tax is the price paid by the first person in possession of the food fish or shellfish. If the food fish or shellfish are acquired other than by purchase or are purchased under conditions where the purchase price does not represent the value of the food fish or shellfish or these products are transferred outside the state without sale, the measure of the tax shall be determined as nearly as possible according to the selling price of similar products of like quality and character under rules adopted by the department of revenue.

(4) The tax shall be equal to the measure of the tax multiplied by the rates for food fish and shellfish as follows:

- (a) Chinook, coho, and chum salmon: Five percent.
- (b) Pink and sockeye salmon: Three percent.
- (c) Other food fish and shellfish, except oysters: Two percent.
- (d) Oysters: Seven one-hundredths of one percent.

(5) From and after the first day of July, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (4) of this section.

Sec. 11. Section 3, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 82.29A.030 are each amended to read as follows:

(1) There is hereby levied and shall be collected a leasehold excise tax on the act or privilege of occupying or using publicly owned real or personal property through a leasehold interest on and after January 1, 1976, at a rate of twelve percent of taxable rent: PROVIDED, That after the computation of the tax there shall be allowed credit for any tax collected pursuant to RCW 82.29A.040.

(2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (1) of this section.

Sec. 12. Section 82.44.110, chapter 15, Laws of 1961 as last amended by section 235, chapter 158, Laws of 1979 and RCW 82.44.110 are each amended to read as follows:

The county auditor shall regularly, when remitting license fee receipts, pay over and account to the director of licensing for the excise taxes collected under the provisions of this chapter. The director shall forthwith transmit the excise taxes to the state treasurer, ninety-eight percent of which excise tax revenue shall upon receipt thereof be credited by the state treasurer to the general fund, and two percent of which excise tax revenue shall be credited by the state treasurer to the motor vehicle fund to defray administrative and other expenses incurred by the state department of licensing in the collection of the excise tax: **PROVIDED**, That one hundred percent of the proceeds of the additional two-tenths of one percent excise tax imposed by RCW 82.44.020(2), as now or hereafter amended, shall be credited by the state treasurer to the Puget Sound capital construction account in the motor vehicle fund: **PROVIDED FURTHER**, That all revenues collected under RCW 82.44.020(5) shall be credited by the state treasurer to the general fund.

Sec. 13. Section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 4, chapter 175, Laws of 1979 ex. sess. and RCW 82.44.150 are each amended to read as follows:

(1) The director of licensing shall on the twenty-fifth day of February, May, August and November of each year, commencing with November, 1971, advise the state treasurer of the total amount of motor vehicle excise taxes remitted to the department of licensing during the preceding calendar quarter ending on the last day of March, June, September and December, respectively, except for those payable under RCW 82.44.020(5), 82.44.030, and 82.44.070, from motor vehicle owners residing within each municipality which has levied a tax under RCW 35.58.273, which amount of excise taxes shall be determined by the director as follows:

The total amount of motor vehicle excise taxes remitted to the department, except those payable under RCW 82.44.020(5), 82.44.030, and 82.44.070, from each county shall be multiplied by a fraction, the numerator of which is the population of the municipality residing in such county, and the denominator of which is the total population of the county in which such municipality or portion thereof is located. The product of this computation shall be the amount of excise taxes from motor vehicle owners residing within such municipality or portion thereof. Where the municipality levying a tax under RCW 35.58.273 is located in more than one county, the above computation shall be made by county, and the combined products shall provide the total amount of motor vehicle excise taxes from motor vehicle owners residing in the municipality as a whole. Population figures required for these computations shall be supplied to the director by the office of financial management, who shall adjust the fraction annually.

(2) On the first day of the months of January, April, July, and October of each year, the state treasurer based upon information provided by the department of licensing shall make the following apportionment and distribution of motor vehicle excise taxes deposited in the general fund except taxes collected under RCW 82.44.020(5). A sum equal to seventeen percent thereof shall be paid to cities and towns in the proportions and for the purposes hereinafter set forth; a sum equal to seventy percent of all motor vehicle excise tax receipts, except taxes collected under RCW 82.44.020(5), shall be allocable to the state school equalization fund and credited and transferred each year in the following order of priority:

(a) The amount required and certified by the state finance committee each year as being necessary for payment of principal of and interest on bonds authorized by ((chapter 26, Laws of 1963 extraordinary session)) RCW 28A.47.760 through 28A.47.774 in the ensuing twelve months and any additional amounts required by the covenants of such bonds shall be transferred from the state school equalization fund to the 1963 public school building bond retirement fund.

(b) Any remaining amounts in the state school equalization fund from the motor vehicle excise taxes not required for debt service on the above bond issues shall be transferred and credited to the general fund.

(3) The amount payable to cities and towns shall be apportioned among the several cities and towns within the state ratably, on the basis of the population as last determined by the office of financial management.

(4) When so apportioned, the amount payable to each such city and town shall be transmitted to the city treasurer thereof, and shall be utilized by such city or town for the purposes of police and fire protection and the preservation of the public health therein, and not otherwise. In case it be adjudged that revenue derived from the excise tax imposed by this chapter cannot lawfully be apportioned or distributed to cities or towns, all moneys directed by this section to be apportioned and distributed to cities and towns shall be credited and transferred to the state general fund.

(5) On the first day of the months of January, April, July, and October of each year, the state treasurer, based upon information provided by the department of licensing, shall remit motor vehicle excise tax revenues imposed and collected under RCW 35.58.273 as follows:

(a) The amount required to be remitted by the state treasurer to the treasurer of any municipality levying the tax shall not exceed in any calendar year the amount of locally-generated tax revenues, excluding the excise tax imposed under RCW 35.58.273 for the purposes of this section, which shall have been budgeted by the municipality to be collected in such calendar year for any public transportation purposes including but not limited to operating costs, capital costs, and debt service on general obligation or revenue bonds issued for these purposes; and

(b) In no event may the amount remitted in a single calendar quarter exceed the amount collected on behalf of the municipality under RCW 35.58.273 during the calendar quarter next preceding the immediately preceding quarter.

(6) At the close of each calendar year accounting period, but not later than April 1, each municipality that has received motor vehicle excise taxes under subsection (5) of this section shall transmit to the director of licensing and the state auditor a written report showing by source the previous year's budgeted tax revenues for public transportation purposes as compared to actual collections. Any municipality that has not submitted the report by April 1 shall cease to be eligible to receive motor vehicle excise taxes under subsection (5) of this section until the report is received by the director of licensing. If a municipality has received more or less money under subsection (5) of this section for the period covered by the report than it is entitled to receive by reason of its locally-generated collected tax revenues, the director of licensing shall, during the next ensuing quarter that the municipality is eligible to receive motor vehicle excise tax funds, increase or decrease the amount to be remitted in an amount equal to the difference between the locally-generated budgeted tax revenues and the locally-generated collected tax revenues. In no event may the amount remitted for a calendar year exceed the amount collected on behalf of the municipality under RCW 35.58.273 during that same calendar year. At the time of the next fiscal audit of each municipality, the state auditor shall verify the accuracy of the report submitted and notify the director of licensing of any discrepancies.

(7) The motor vehicle excise taxes imposed under RCW 35.58.273 and required to be remitted under this section shall be remitted without legislative appropriation.

(8) Any municipality levying and collecting a tax under RCW 35.58.273 which does not have an operating, public transit system or a contract for public transportation services in effect within one year from the initial effective date of the tax shall return to the state treasurer all motor vehicle excise taxes received under subsection (5) of this section.

Sec. 14. Section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 154, Laws of 1980 and RCW 82.45.060 are each amended to read as follows:

(1) There is imposed an excise tax upon each sale of real property at the rate of one percent of the selling price.

(2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (1) of this section.

Sec. 15. Section .14.02, chapter 79, Laws of 1947 as last amended by section 2, chapter 233, Laws of 1979 ex. sess. and RCW 48.14.020 are each amended to read as follows:

(1) Subject to other provisions of this chapter, each authorized insurer except title insurers shall on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax on premiums. Except as provided in subsection (2) of this section, such tax shall be in the amount of two percent of all premiums, excluding amounts returned to or the amount of reductions in premiums allowed to holders of industrial life policies for payment of premiums directly to an office of the insurer, collected or received by the insurer during the preceding calendar year in the case of foreign and alien insurers, and in the amount of one percent of all such premiums in the case of domestic insurers, for direct insurances, other than ocean marine and foreign trade insurances, after deducting premiums paid to policyholders as returned premiums, upon risks or property resident, situated, or to be performed in this state. For the purposes of this section the consideration received by an insurer for the granting of an annuity shall not be deemed to be a premium.

(2) In the case of insurers which require the payment by their policyholders at the inception of their policies of the entire premium thereon in the form of premiums or premium deposits which are the same in amount, based on the character of the risks, regardless of the length of term for which such policies are written, such tax shall be in the amount of two percent of the gross amount of such premiums and premium deposits upon policies on risks resident, located, or to be performed in this state, in force as of the thirty-first day of December next preceding, less the unused or unabsorbed portion of such premiums and premium deposits computed at the average rate thereof actually paid or credited to policyholders or applied in part payment of any renewal premiums or premium deposits on one-year policies expiring during such year.

(3) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the taxes payable under subsections (1) and (2) of this section. All revenues from this additional tax shall be deposited in the state general fund.

(4) Each authorized insurer shall with respect to all ocean marine and foreign trade insurance contracts written within this state during the preceding calendar year, on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax of three-quarters of one percent on its gross underwriting profit. Such gross underwriting profit shall be ascertained by deducting from the net premiums (i.e., gross premiums less all return premiums and premiums for reinsurance) on such ocean marine and foreign trade insurance contracts the net losses paid (i.e., gross losses paid less salvage and recoveries on reinsurance ceded) during such calendar year under such contracts. In the case of insurers issuing participating contracts, such gross underwriting profit shall not include, for computation of the tax prescribed by this subsection, the amounts refunded, or paid as participation dividends, by such insurers to the holders of such contracts.

((4)) (5) The state does hereby preempt the field of imposing excise or privilege taxes upon insurers or their agents, other than title insurers, and no county, city, town or other municipal subdivision shall have the right to impose any such taxes upon such insurers or their agents.

~~((5))~~ (6) If an authorized insurer collects or receives any such premiums on account of policies in force in this state which were originally issued by another insurer and which other insurer is not authorized to transact insurance in this state on its own account, such collecting insurer shall be liable for and shall pay the tax on such premiums.

~~((6))~~ (7) This section shall be effective as to and shall govern the payment of all taxes falling due after the effective date of this code.

Sec. 16. Section 5, chapter 91, Laws of 1947 as last amended by section 1, chapter 42, Laws of 1967 and RCW 41.16.050 are each amended to read as follows:

There is hereby created and established in the treasury of each municipality a fund which shall be known and designated as the firemen's pension fund, which shall consist of: (1) All bequests, fees, gifts, emoluments or donations given or paid thereto(-); (2) forty-five percent of all moneys received by the state from taxes on fire insurance premiums, except any such moneys received under RCW 48.14.020(3); (3) taxes paid pursuant to the provisions of RCW 41.16.060(-); (4) interest on the investments of the fund(-); and (5) contributions by firemen as provided for herein. The forty-five percent of moneys received from the tax on fire insurance premiums under the provisions of this chapter shall be distributed in the proportion that the number of paid firemen in the city, town or fire protection district bears to the total number of paid firemen throughout the state to be ascertained in the following manner: The secretary of the firemen's pension board of each city, town and fire protection district now or hereafter coming under the provisions of this chapter shall within thirty days after the taking effect of this 1961 amendatory act and on or before the fifteenth day of January thereafter, certify to the state treasurer the number of paid firemen in the fire department in such city, town or fire protection district. The state treasurer shall on or before the first day of June of each year deliver to the treasurer of each city, town and fire protection district coming under the provisions of this chapter his warrant, payable to each city, town or fire protection district for the amount due such city, town or fire protection district ascertained as herein provided and the treasurer of each such city, town or fire protection district shall place the amount thereof to the credit of the firemen's pension fund of such city, town or fire protection district.

Sec. 17. Section 3, chapter 261, Laws of 1945 as last amended by section 26, chapter 3, Laws of 1981 and RCW 41.24.030 are each amended to read as follows:

There is created in the state treasury a trust fund for the benefit of the firemen of the state covered by this chapter, which shall be designated the volunteer firemen's relief and pension fund and shall consist of:

(1) All bequests, fees, gifts, emoluments, or donations given or paid to the fund.

(2) An annual fee for each member of its fire department to be paid by each municipal corporation for the purpose of affording the members of its fire department with protection from death or disability as herein provided as follows:

(a) Three dollars for each volunteer or part-paid member of its fire department;

(b) A sum equal to one-half of one percent of the annual salary attached to the rank of each full-paid member of its fire department, prorated for 1970 on the basis of services prior to March 1, 1970.

(3) Where a municipal corporation has elected to make available to the members of its fire department the retirement provisions as herein provided, an annual fee of thirty dollars for each of its firemen electing to enroll therein, ten dollars of which shall be paid by the municipality and twenty dollars of which shall be paid by the fireman.

(4) Forty percent of all moneys received by the state from ((its)) taxes on fire insurance premiums, except any such moneys received under RCW 48.14.020(3), shall be paid into the state treasury and credited to the fund.

(5) The state investment board, upon request of the state treasurer shall invest such portion of the amounts credited to the fund as is not, in the judgment of the treasurer, required to meet current withdrawals. Such investments may be made in such bonds, notes or other obligations now or hereafter authorized as an investment for the funds of the public employees' retirement system.

(6) All bonds or other obligations purchased according to ~~((subdivision))~~ subsection (5) of this section shall be forthwith placed in the custody of the state treasurer, and he shall collect the principal thereof and interest thereon when due.

The state investment board may sell any of the bonds or obligations so acquired and the proceeds thereof shall be paid to the state treasurer.

The interest and proceeds from the sale and redemption of any bonds or other obligations held by the fund shall be credited to and form a part of the fund.

All amounts credited to the fund shall be available for making the payments required by this chapter.

The state treasurer shall make an annual report showing the condition of the fund.

Sec. 18. Section 2, chapter 278, Laws of 1957 as last amended by section 2, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.020 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district a tax for the act or privilege of engaging within this state in the business of operating works, plants or facilities for the generation, distribution and sale of electric energy. With respect to each such district, except with respect to thermal electric generating facilities taxed under RCW 54.28.025, such tax shall be the sum of the following amounts: ~~((1))~~ (a) Two percent of the gross revenues derived by the district from the sale of all electric energy which it distributes to consumers who are served by a distribution system owned by the district; ~~((2))~~ (b) five percent of the first four mills per kilowatt-hour of wholesale value of self-generated energy distributed to consumers by a district; ~~((3))~~ (c) five percent of the first four mills per kilowatt-hour of revenue obtained by the district from the sale of self-generated energy for resale.

(2) An additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (1) of this section for April, 1982, through June, 1983.

Sec. 19. Section 6, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.025 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district operating a thermal electric generating facility, as defined in RCW 54.28.010 as now or hereafter amended, having a design capacity of two hundred fifty thousand kilowatts or more, located on a federal reservation, which is placed in operation after September 21, 1977, a tax for the act or privilege of engaging within the state in the business of generating electricity for use or sale, equal to one and one-half percent of wholesale value of energy produced for use or sale, except energy used in the operation of component parts of the power plant and associated transmission facilities under control of the person operating the power plant.

(2) An additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (1) of this section for April, 1982, through June, 1983.

Sec. 20. Section 4, chapter 278, Laws of 1957 as amended by section 31, chapter 278, Laws of 1975 1st ex. sess. and RCW 54.28.040 are each amended to read as follows:

Prior to May 1st, the department of revenue shall compute the tax imposed by this chapter for the last preceding calendar year and notify the district of the

amount thereof, which shall be payable on or before the following June 1st. Upon receipt of the amount of each tax imposed the department of revenue shall deposit the same with the state treasurer, who shall deposit four percent (~~thereof~~) of the revenues received under RCW 54.28.020(1) and 54.28.025(1) and all revenues received under RCW 54.28.020(2) and 54.28.025(2) in the general fund of the state and shall distribute the remainder in the manner hereinafter set forth. The state treasurer shall send a duplicate copy of each (~~such letter of~~) transmittal to the department of revenue.

Sec. 21. Section 5, chapter 278, Laws of 1957 as last amended by section 8, chapter 154, Laws of 1980 and RCW 54.28.050 are each amended to read as follows:

After computing the tax imposed by RCW 54.28.020(1), the department of revenue shall instruct the state treasurer, after placing thirty-seven and six-tenths percent in the state general fund to be dedicated for the benefit of the public schools, to distribute the balance collected under RCW 54.28.020 (~~(subsection)~~) (1)(a) to each county in proportion to the gross revenue from sales made within each county; and to distribute the balance collected under RCW 54.28.020 (~~((2) and (3))~~) (1)(b) and (c) as follows: If the entire generating facility, including reservoir, if any, is in a single county then all of the balance to the county where such generating facility is located. If any reservoir is in more than one county, then to each county in which the reservoir or any portion thereof is located a percentage equal to the percentage determined by dividing the total cost of the generating facilities, including adjacent switching facilities, into twice the cost of land and land rights acquired for any reservoir within each county, land and land rights to be defined the same as used by the federal power commission. If the powerhouse and dam, if any, in connection with such reservoir are in more than one county, the balance shall be divided sixty percent to the county in which the owning district is located and forty percent to the other county or counties or if said powerhouse and dam, if any, are owned by a joint operating agency organized under chapter 43.52 RCW, or by more than one district or are outside the county of the owning district, then to be divided equally between the counties in which such facilities are located. If all of the powerhouse and dam, if any, are in one county, then the balance shall be distributed to the county in which the facilities are located.

The provisions of this section shall not apply to the distribution of taxes collected under RCW 54.28.025.

Sec. 22. Section 7, chapter 366, Laws of 1977 ex. sess. as amended by section 165, chapter 151, Laws of 1979 and RCW 54.28.055 are each amended to read as follows:

(1) After computing the tax imposed by RCW 54.28.025(1), the department of revenue shall instruct the state treasurer to distribute the amount collected as follows:

- (a) Fifty percent to the state general fund for the support of schools; and
- (b) Twenty-two percent to the counties, twenty-three percent to the cities, three percent to the fire protection districts, and two percent to the library districts.

(2) Each county, city, fire protection district and library district shall receive a percentage of the amount for distribution to counties, cities, fire protection districts and library districts, respectively, in the proportion that the population of such district residing within the impacted area bears to the total population of all such districts residing within the impacted area.

(3) If any distribution pursuant to subsection (1)(b) of this section cannot be made, then that share shall be prorated among the state and remaining local districts.

(4) All distributions directed by this section to be made on the basis of population shall be calculated in accordance with data to be provided by the office of financial management.

Sec. 23. Section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 12, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.210 are each amended to read as follows:

(1) There is hereby imposed upon all wines sold to wine wholesalers and the Washington state liquor control board, within the state a tax at the rate of twenty and one-fourth cents per liter: PROVIDED, HOWEVER, That wine sold or shipped in bulk from one winery to another winery shall not be subject to such tax. The tax (~~herein~~) provided for in this section may, if so prescribed by the board, be collected by means of stamps to be furnished by the board, or by direct payments based on wine purchased by wine wholesalers. Every person purchasing wine under the provisions of this section shall on or before the twentieth day of each month report to the board all purchases during the preceding calendar month in such manner and upon such forms as may be prescribed by the board, and with such report shall pay the tax due from the purchases covered by such report unless the same has previously been paid. Any such purchaser of wine whose applicable tax payment is not postmarked by the twentieth day following the month of purchase will be assessed a penalty at the rate of two percent a month or fraction thereof. If this tax be collected by means of stamps, every such person shall procure from the board revenue stamps representing the tax in such form as the board shall prescribe and shall affix the same to the package or container in such manner and in such denomination as required by the board and shall cancel the same prior to the delivery of the package or container containing the wine to the purchaser. If the tax is not collected by means of stamps, the board may require that every such person shall execute to and file with the board a bond to be approved by the board, in such amount as the board may fix, securing the payment of the tax. If any such person fails to pay the tax when due, the board may forthwith suspend or cancel the license until all taxes are paid.

(2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

Sec. 24. Section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 16, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.290 are each amended to read as follows:

(1) Any brewer or beer wholesaler licensed under this title may sell and deliver beer to holders of authorized licenses direct, but to no other person, other than the board; and every such brewer or beer wholesaler shall report all sales to the board monthly, pursuant to the regulations, and shall pay to the board as an added tax for the privilege of manufacturing and selling the beer within the state a tax of two dollars and sixty cents per barrel of thirty-one gallons on sales to licensees within the state and on sales to licensees within the state of bottled and canned beer shall pay a tax computed in gallons at the rate of two dollars and sixty cents per barrel of thirty-one gallons. Any brewer or beer wholesaler whose applicable tax payment is not postmarked by the twentieth day following the month of sale will be assessed a penalty at the rate of two percent per month or fraction thereof. Each such brewer or wholesaler shall procure from the board revenue stamps representing such tax in form prescribed by the board and shall affix the same to the barrel or package in such manner and in such denominations as required by the board, and shall cancel the same prior to commencing delivery from his place of business or warehouse of

such barrels or packages. Beer shall be sold by brewers and wholesalers in sealed barrels or packages. The revenue stamps herein provided for need not be affixed and canceled in the making of resales of barrels or packages already taxed by the affixation and cancellation of stamps as provided in this section.

(2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

(3) The ((above)) tax imposed under this section shall not apply to "strong beer" as defined in this title.

Sec. 25. Section 73, chapter 62; Laws of 1933 ex. sess. as amended by section 1, chapter 6, Laws of 1961 ex. sess. and RCW 66.08.170 are each amended to read as follows:

There shall be a fund, known as the "liquor revolving fund", which shall consist of all license fees, permit fees, penalties, forfeitures, and all other moneys, income, or revenue received by the board, except revenues received under RCW 66.24.210(2) and 66.24.290(2). The state treasurer shall be custodian of the fund. Except as otherwise provided by law, all moneys received by the board or any employee thereof, except for change funds and an amount of petty cash as fixed by the board within the authority of law shall be deposited each day in a depository approved by the state treasurer and transferred to the state treasurer to be credited to the liquor revolving fund. Disbursements from the revolving fund shall be on authorization of the board or a duly authorized representative thereof. In order to maintain an effective expenditure and revenue control the liquor revolving fund shall be subject in all respects to chapter 43.88 RCW but no appropriation shall be required to permit expenditures and payment of obligations from such fund.

Sec. 26. Section 82.44.020, chapter 15, Laws of 1961 as last amended by section 10, chapter 222, Laws of 1981 and RCW 82.44.020 are each amended to read as follows:

(1) An excise tax is imposed for the privilege of using in the state any motor vehicle, except those operated under reciprocal agreements, the provisions of RCW 46.16.160 as now or hereafter amended, or dealer's licenses. The annual amount of such excise tax shall be two percent of the fair market value of such vehicle.

(2) From and after August 1, 1978, and until August 1, 2008, an additional excise tax is imposed, in addition to any other tax imposed by this section, for the privilege of using in the state any such motor vehicle, and the annual amount of such additional excise shall be two-tenths of one percent of the fair market value of such vehicle.

(3) The department of licensing and county auditors shall collect the additional tax imposed by subsection (2) of this section for any registration year for the months of that registration year in which such additional tax is effective, and in the same manner and at the same time as the tax imposed by subsection (1) of this section.

(4) In no case shall the total tax be less than two dollars except for proportionally registered vehicles.

(5) From and after the first day of July, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed in the amount of four percent of the taxes payable under subsections (1) and (2) of this section.

Sec. 27. Section 1, chapter 7, Laws of 1981 as amended by section 7, chapter 172, Laws of 1981 and RCW 82.32.045 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, payments of the taxes imposed under chapters 82.04, 82.08, 82.12, 82.14, and 82.16 RCW, along with reports and

returns on forms prescribed by the department, are due monthly within the number of days specified in the following table after the end of the month in which the taxable activities occur.

For activities occurring in	Days
October, 1981 through March, 1982	25
April, 1982 through March, 1983	20
April, 1983 and thereafter	15

(2) A monthly taxpayer may elect to remit an estimated amount of the tax due for each month on or before the due date set forth in subsection (1) of this section. The estimated amount of tax remitted shall be at least the greater of ninety percent of the tax actually due for the month or one-third of the tax due during the corresponding quarter of the previous year. Each taxpayer filing an estimated return shall file a separate quarterly return on the last day of the month after the end of each calendar quarter. Each quarterly return shall be on forms prescribed by the department, include such information as the department may require to correctly determine tax liability during the quarter, and be accompanied by a remittance of the balance of the tax actually due for the quarter.

(3) The department of revenue may relieve any taxpayer or class of taxpayers from the obligation of remitting monthly and may require the return to cover other longer reporting periods, but in no event may returns be filed for a period greater than one year. For these taxpayers, tax payments are due on or before the last day of the month next succeeding the end of the period covered by the return.

(4) The department of revenue may also require verified annual returns from any taxpayer, setting forth such additional information as it may deem necessary to correctly determine tax liability.

NEW SECTION. Sec. 28. There is added to chapter 82.08 RCW a new section to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales of food purchased with food stamps.

NEW SECTION. Sec. 29. There is added to chapter 82.12 RCW a new section to read as follows:

The provisions of this chapter shall not apply in respect to the use of food purchased with food stamps.

NEW SECTION. Sec. 30. The following acts or parts of acts are each repealed:

(1) Section 49, chapter 37, Laws of 1980, section 3, chapter 86, Laws of 1980, section 1, chapter 18, Laws of 1981 and RCW 82.08.0284; and

(2) Section 76, chapter 37, Laws of 1980, section 4, chapter 86, Laws of 1980 and RCW 82.12.0278.

NEW SECTION. Sec. 31. There is added to chapter 82.02 RCW a new section to read as follows:

(1) Until and including the day before the change date, the rate of the sales and use taxes under section 1 of this act shall be five and four-tenths percent and the rate of the additional taxes under sections 2 through 24 of this act shall be four percent.

(2) From and after the change date until and including the thirtieth day of June, 1983, the rate of tax shall be as follows:

(a) If the October revenue collections are less than \$2,855,000,000, the rate of sales and use taxes under section 1 of this act shall be five and four-tenths percent and the rate of the additional taxes under sections 2 through 24 of this act shall be four percent.

(b) If the October revenue collections equal or exceed \$2,855,000,000, the rate of sales and use taxes under section 1 of this act shall be five and two-tenths percent

and the rate of the additional taxes under sections 2 through 24 of this act shall be zero percent.

(3) As used in this section:

(a) "October revenue collections" means revenues, penalties, and interest actually collected for credit to the fiscal biennium beginning July 1, 1981, for the taxes imposed under the following statutes, as amended by this act, and deposited with the state treasurer for credit to the general fund during the period beginning July 1, 1981, and ending with the specified date:

(i) Chapters 82.04, 82.08, 82.12, 82.16, and 82.26 RCW: October 10, 1982.

(ii) Chapters 82.24 and 82.45 RCW, and RCW 28A.47.440: September 30, 1982.

(b) "Change date" for the taxes under sections 1 through 9 and 12 through 24 of this act means November 1, 1982; and for the taxes under sections 10 and 11 of this act means January 1, 1983.

NEW SECTION. Sec. 32. (1) At the end of the fiscal biennium beginning July 1, 1981, the state treasurer shall transfer from the general fund to the budget stabilization account created under RCW 43.88.525 an amount equal to the biennial revenue collections minus \$5,210,000,000.

(2) As used in this section, "biennial revenue collections" means all revenues, penalties, and interest actually collected for credit to the fiscal biennium beginning July 1, 1981, for the taxes imposed under chapters 82.04, 82.08, 82.12, 82.16, 82.24, 82.26, and 82.45 RCW and RCW 28A.47.440, as amended by this act, and deposited with the state treasurer for credit to the general fund.

NEW SECTION. Sec. 33. There is added to chapter 82.08 RCW a new section to read as follows:

(1) The tax levied by RCW 82.08.020 shall not apply to sales of food products for human consumption.

"Food products" include cereals and cereal products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products.

"Food products" include milk and milk products, milk shakes, malted milks, and any other similar type beverages which are composed at least in part of milk or a milk product and which require the use of milk or a milk product in their preparation.

"Food products" include all fruit juices, vegetable juices, and other beverages except bottled water, spirituous, malt or vinous liquors or carbonated beverages, whether liquid or frozen.

"Food products" do not include medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.

The exemption of "food products" provided for in this subsection shall not apply: (a) When the food products are furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware whether provided by the retailer or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, except for food products furnished as meals under a state administered nutrition program for the aged as provided for in the Older American Act (P.L. 95-478 Title III) and RCW 74.38.040(6), or (b) when the food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location, even though such products are sold on a "takeout" or "to go" order and are actually packaged or wrapped and taken from the premises of the retailer, or (c) when the food products are sold for

consumption within a place, the entrance to which is subject to an admission charge, except for national and state parks and monuments.

(2) Subsection (1) of this section notwithstanding, the retail sale of food products is subject to sales tax under RCW 82.08.020 if the food products are sold through a vending machine, and in this case the selling price for purposes of RCW 82.08.020 is fifty-seven percent of the gross receipts.

This subsection does not apply to hot prepared food products, other than food products which are heated after they have been dispensed from the vending machine.

For tax collected under this subsection, the requirements that the tax be collected from the buyer and that the amount of tax be stated as a separate item are waived.

NEW SECTION. Sec. 34. There is added to chapter 82.12 RCW a new section to read as follows:

The provisions of this chapter shall not apply in respect to the use of food products for human consumption.

"Food products" include cereals and cereal products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products.

"Food products" include milk and milk products, milk shakes, malted milks, and any other similar type beverages which are composed at least in part of milk or a milk product and which require the use of milk or a milk product in their preparation.

"Food products" include all fruit juices, vegetable juices, and other beverages except bottled water, spirituous, malt or vinous liquors or carbonated beverages, whether liquid or frozen.

"Food products" do not include medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.

The exemption of "food products" provided for in this paragraph shall not apply: (a) When the food products are furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware whether provided by the retailer or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, except for food products furnished as meals under a state administered nutrition program for the aged as provided for in the Older American Act (P.L. 95-478 Title III) and RCW 74.38.040(6), or (b) when the food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location, even though such products are sold on a "takeout" or "to go" order and are actually packaged or wrapped and taken from the premises of the retailer, or (c) when the food products are sold for consumption within a place, the entrance to which is subject to an admission charge, except for national and state parks and monuments.

NEW SECTION. Sec. 35. There is added to chapter 82.08 RCW a new section to read as follows:

A seller is entitled to a credit or refund for sales taxes previously paid on debts which are deductible as worthless for federal income tax purposes.

NEW SECTION. Sec. 36. There is added to chapter 82.12 RCW a new section to read as follows:

A seller is entitled to a credit or refund for use taxes previously paid on debts which are deductible as worthless for federal income tax purposes.

Sec. 37. Section 82.08.100, chapter 15, Laws of 1961 as amended by section 50, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.100 are each amended to read as follows:

The department of revenue, by general regulation, ((may)) shall provide that a taxpayer whose regular books of account are kept on a cash receipts basis may file returns based upon his cash receipts for each reporting period and pay the tax herein provided upon such basis in lieu of reporting and paying the tax on all sales made during such period. A taxpayer filing returns on a cash receipts basis is not required to pay such tax on debts which are deductible as worthless for federal income tax purposes.

Sec. 38. Section 82.12.070, chapter 15, Laws of 1961 as amended by section 55, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.12.070 are each amended to read as follows:

The department of revenue, by general regulation, ((may)) shall provide that a taxpayer whose regular books of account are kept on a cash receipts basis may file returns based upon his cash receipts for each reporting period and pay the tax herein provided upon such basis in lieu of reporting and paying the tax on all sales made during such period. A taxpayer filing returns on a cash receipts basis is not required to pay such tax on debts which are deductible as worthless for federal income tax purposes.

NEW SECTION. Sec. 39. The legislature recognizes that tax preferences are enacted by the legislature to meet objectives which are determined to be in the public interest. The legislature finds, however, that some tax preferences may not be efficient or equitable tools for the achievement of current legislative objectives. The legislature finds that unless it can be demonstrated that the public interest is served by the continued existence of tax preferences, they should be terminated or modified. The legislature further finds that periodic evaluations of tax preferences are needed to determine if their continued existence is in the public interest.

It is the intent of the legislature to establish a mechanism for scheduling periodic evaluations of tax preferences together with a system for their termination, continuation, or modification. By this mechanism, the legislature intends to ensure that thorough periodic evaluations are made and that those tax preferences which do not continue to serve the public interest are terminated or modified.

NEW SECTION. Sec. 40. As used in this chapter, "tax preference" means an exemption, exclusion, or deduction from the base of a state tax; a credit against a state tax; a deferral of a state tax; or a preferential state tax rate.

NEW SECTION. Sec. 41. The legislative budget committee shall review each tax preference for termination by the processes provided in this chapter. The review shall be completed and a report prepared on or before June 30th of the year prior to the date established for termination. Upon completion of its report, the legislative budget committee shall transmit copies of the report to the department of revenue. The department of revenue may then conduct its own review of the tax preference scheduled for termination and shall prepare a report on or before September 30th of the year prior to the date established for termination. Upon completion of its report the department of revenue shall transmit copies of its report to the legislative budget committee. The legislative budget committee shall prepare a final report that includes the reports of both the department of revenue and the legislative budget committee. The legislative budget committee and the department of revenue shall, upon request, make available to each other all working papers, studies, and other documents which relate to reports required under this section. The legislative budget committee shall transmit the final report to all members of the legislature, to the governor, and to the state library.

NEW SECTION. Sec. 42. In reviewing a tax preference, the legislative budget committee shall develop information needed by the legislature to determine if the tax preference should be terminated as scheduled, modified, or reestablished without modification. The legislative budget committee shall consider, but not be limited to, the following factors in the review.

(1) The persons or organizations whose state tax liabilities are directly affected by the tax preference.

(2) Legislative objectives that might provide a justification for the tax preference.

(3) Evidence that the existence of the tax preference has contributed to the achievement of any of the objectives identified in subsection (2) of this section.

(4) The extent to which continuation of the tax preference beyond its scheduled termination date might contribute to any of the objectives identified in subsection (2) of this section.

(5) Fiscal impacts of the tax preference, including past impacts and expected future impacts if it is not terminated as scheduled.

(6) The extent to which termination of the tax preference would affect the distribution of liability for payment of state taxes.

NEW SECTION. Sec. 43. (1) Following receipt of the final report from the legislative budget committee, the ways and means committees of the house of representatives and the senate shall jointly hold a public hearing to consider the final report and any related data. The committees shall also receive testimony from the governor, or the governor's designee, and other interested parties, including the general public.

(2) Following the joint hearing, the committees may separately hold additional meetings or hearings to come to a final determination as to whether a continuation, modification, or termination of a tax preference is in the public interest. If a committee determines that a tax preference should be continued or modified, it shall make the determination as a bill. No more than one tax preference shall be reestablished or modified in any one bill.

NEW SECTION. Sec. 44. The select joint committee established under RCW 43.131.120 shall be responsible for the development of legislation which provides a schedule for the termination of tax preferences in a manner consistent with the terms of this chapter. The termination of tax preferences shall occur over a period of four years, beginning on June 30, 1984. In the development of this legislation, the select joint committee shall identify tax preferences which might appropriately be scheduled for termination and arrange for automatic termination of tax preferences, with a reasonable number of tax preferences to be terminated on June 30, 1984, including appropriate tax exemptions identified as eligible for termination by the department of revenue in the study conducted pursuant to section 26(3), chapter 340, Laws of 1981 (uncodified), a reasonable number of tax preferences to be terminated on June 30, 1985, a reasonable number of tax preferences to be terminated on June 30, 1986, and a reasonable number of tax preferences to be terminated on June 30, 1987.

Proposed legislation, recommendations, and findings shall be submitted to the legislature as soon as is practicable, but no later than the first day the legislature is in session after January 1, 1983.

NEW SECTION. Sec. 45. On or before September 30, 1982, the department of revenue shall provide the select joint committee with a report on existing tax preferences. The report shall include a list of tax preferences and a description of each one. Upon request of the select joint committee, the department of revenue shall provide additional information needed by the select joint committee to meet its responsibilities under this chapter.

NEW SECTION. Sec. 46. Sections 39 through 45 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 47. 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. 48. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except that sections 28, 29, and 30 of this act shall take effect on May 1, 1982, sections 33 and 34 of this act shall take effect on July 1, 1983, and sections 35 through 38 of this act shall take effect on January 1, 1983.

Sections 28 and 29 of this act shall expire on July 1, 1983. The additional taxes imposed under this act shall take effect on the dates designated in this act notwithstanding the date this act becomes law under Article III, section 12 of the state Constitution."

On page 1, line 1 of the title, after "taxation;" strike the remainder of the title and insert "amending section 5, chapter 91, Laws of 1947 as last amended by section 1, chapter 42, Laws of 1967 and RCW 41.16.050; amending section 3, chapter 261, Laws of 1945 as last amended by section 26, chapter 3, Laws of 1981 and RCW 41.24.030; amending section .14.02, chapter 79, Laws of 1947 as last amended by section 2, chapter 233, Laws of 1979 ex. sess. and RCW 48.14.020; amending section 2, chapter 278, Laws of 1957 as last amended by section 2, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.020; amending section 6, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.025; amending section 4, chapter 278, Laws of 1957 as amended by section 31, chapter 278, Laws of 1975 1st ex. sess. and RCW 54.28.040; amending section 5, chapter 278, Laws of 1957 as last amended by section 8, chapter 154, Laws of 1980 and RCW 54.28.050; amending section 7, chapter 366, Laws of 1977 ex. sess. as amended by section 165, chapter 151, Laws of 1979 and RCW 54.28.055; amending section 73, chapter 62, Laws of 1933 ex. sess. as amended by section 1, chapter 6, Laws of 1961 ex. sess. and RCW 66.08-.170; amending section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 12, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.210; amending section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 16, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.290; amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 324, Laws of 1977 ex. sess. and RCW 82.04-.2901; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 8, Laws of 1981 2nd ex. sess. and RCW 82.08.020; amending section 82.08.100, chapter 15, Laws of 1961 as amended by section 50, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.100; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 25, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.150; amending section 82.08.160, chapter 15, Laws of 1961 as last amended by section 26, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08-.160; amending section 82.12.070, chapter 15, Laws of 1961 as amended by section 55, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.12.070; amending section 82.16.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 299, Laws of 1971 ex. sess. and RCW 82.16.020; amending section 82.16.030, chapter 15, Laws of 1961 and RCW 82.16.030; amending section 82.20.010, chapter 15, Laws of 1961 and RCW 82.20.010; amending section 82.24.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 172, Laws of 1981 and RCW 82.24-.020; amending section 82.26.020, chapter 15, Laws of 1961 as last amended by section 71, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.26.020; amending section 2, chapter 98, Laws of 1980 and RCW 82.27.020; amending section 3, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 82.29A.030; amending section 1, chapter 7, Laws of 1981 as amended by section 7, chapter 172, Laws of 1981 and RCW 82.32.045; amending section 82.44.020, chapter 15, Laws of 1961 as last amended by section 10, chapter 222, Laws of 1981 and RCW 82.44.020; amending section 82.44.110, chapter 15, Laws of 1961 as last amended by section 235, chapter 158, Laws of 1979 and RCW 82.44.110; amending section 1, chapter 87, Laws of

1972 ex. sess. as last amended by section 4, chapter 175, Laws of 1979 ex. sess. and RCW 82.44.150; amending section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 154, Laws of 1980 and RCW 82.45.060; adding a new section to chapter 82.02 RCW; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; adding a new chapter to Title 43 RCW; creating new sections; repealing section 49, chapter 37, Laws of 1980, section 3, chapter 86, Laws of 1980, section 1, chapter 18, Laws of 1981 and RCW 82.08-.0284; repealing section 76, chapter 37, Laws of 1980, section 4, chapter 86, Laws of 1980 and RCW 82.12.0278; providing effective dates; providing an expiration date; and declaring an emergency.", and the same is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

MOTION

Senator Scott moved the Senate concur in the House amendments to Engrossed Senate Bill No. 4250.

POINT OF ORDER

Senator Rasmussen: "I want to raise the point of order on scope and object that the bill that has been sent back by the House has completely changed direction. They have put a sales tax on food that it did not contain when it went over. It was a surcharge only, and as Senator Scott has indicated, in addition to that it is going to build up a surplus. I raise that as a point of order on scope and object of the bill, Mr. President."

Debate ensued.

MOTION

At 4:11 p.m., there being no objection, the Senate was declared to be at ease. The President called the Senate to order at 4:21 p.m.

RULING BY THE PRESIDENT

President Cherberg: "In ruling upon the Point of Order raised by Senator Rasmussen, the President finds that Engrossed Senate Bill No. 4250 is a measure which is the omnibus revenue measure which includes numerous forms of taxation.

"The striking amendment proposed by the House of Representatives also is considered an omnibus revenue measure which includes numerous forms of taxation. As in the past, the President has ruled that in omnibus revenue measures that amendments dealing with taxation will not change the scope and object of the omnibus measure.

"The President therefore finds that the proposed amendment does not expand the scope and object of the bill and that the Point of Order is not well taken."

The House amendments to Engrossed Senate Bill No. 4250 were ruled in order.

The President declared the question before the Senate to be the motion by Senator Scott that the Senate concur in the House amendments to Engrossed Senate Bill No. 4250.

Senator Talmadge demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the House amendments to Engrossed Senate Bill No. 4250.

On motion of Senator Clarke, there being no objection, the roll was called in reverse.

ROLL CALL

The Secretary called the roll and the motion carried by the following vote: Yeas, 25; nays, 23; excused, 1.

Voting yea: Senators Bauer, Benitz, Bluechel, Clarke, Conner, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, Metcalf, Newhouse, Patterson, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—25.

Voting nay: Senators Bottiger, Charnley, Craswell, Fleming, Gaspard, Goltz, Hughes, Hurley, Lysen, McCaslin, McDermott, Moore, Peterson, Pullen, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—23.

Excused: Senator Talley—1.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Senate Bill No. 4250, as amended by the House.

Debate ensued.

On motion of Senator Clarke, there being no objection, the roll was called in reverse.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4250, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 25; nays, 22; absent or not voting, 1; excused, 1.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Clarke, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, Metcalf, Newhouse, Patterson, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—25.

Voting nay: Senators Charnley, Craswell, Fleming, Gaspard, Goltz, Hughes, Hurley, Lysen, McCaslin, McDermott, Moore, Peterson, Pullen, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—22.

Absent or not voting: Senator Conner—1.

Excused: Senator Talley—1.

ENGROSSED SENATE BILL NO. 4250, 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

April 10, 1982.

Mr. President: The Speaker has signed: SUBSTITUTE SENATE BILL NO. 5007, and the same is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

April 10, 1982.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1230 and has passed the bill as amended by the Senate.

PATRICIA M. WILLIAMS, Chief Clerk.

April 10, 1982.

Mr. President: The House has passed: ENGROSSED SENATE JOINT MEMORIAL NO. 115, and the same is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

April 10, 1982.

Mr. President: The House has passed: ENGROSSED SENATE BILL NO. 4995, and the same is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

April 10, 1982.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 795,

HOUSE BILL NO. 796, and the same are herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:

HOUSE BILL NO. 795,

HOUSE BILL NO. 796.

PERSONAL PRIVILEGE

Senator Hemstad: "The Norwegian Easter Bunny has arrived with the assistance of my wife, Micki and my daughter, Jenny, and the two pages are in the process of passing one out for everybody, and as a prelude to Easter, happy Easter from the Easter Bunny."

MOTION

At 5:04 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 5:22 p.m.

MOTION

At 5:30 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 6:03 p.m.

MESSAGE FROM THE HOUSE

April 10, 1982.

Mr. President: The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 50,

HOUSE CONCURRENT RESOLUTION NO. 52,

HOUSE CONCURRENT RESOLUTION NO. 53, and the same are herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

FIRST READING OF HOUSE RESOLUTION

HOUSE CONCURRENT RESOLUTION NO. 50, by Representatives Rosbach, Flanagan, Padden, Dickie, Smith, Sanders, Bickham, Barr, Clayton, Isaacson, Prince, Nickell, Tilly, Hastings and Heck:

Forming a joint committee to study laws relating to search for and development of oil and gas in the state.

MOTIONS

On motion of Senator Clarke, the rules were suspended, House Concurrent Resolution No. 50 was advanced to second reading and read the second time in full.

On motion of Senator Clarke, the rules were suspended, House Concurrent Resolution No. 50 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

POINT OF INQUIRY

Senator Bottiger: "Will Senator Clarke yield to a question? Senator Clarke, we sent over a revenue package to provide for a severance tax for oils. We get back a study resolution. Is that the extent of the effort this session?"

Senator Clarke: "It was impossible for the House to agree upon the bill and they felt like it should be put into a study. I felt that it was a very wrong thing to do but this is the best we can get out of it."

Senator Bottiger: "Mr. President, I would encourage the Senate to cast the vote that reflects the joke that the resolution is."

ROLL CALL

The Secretary called the roll on the final passage of House Concurrent Resolution No. 50, and the resolution passed the Senate by the following vote: Yeas, 25; nays, 17; absent or not voting, 6; excused, 1.

Voting yea: Senators Bluechel, Charnley, Clarke, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Quigg, Scott, Sellar, von Reichbauer, Williams, Zimmerman—25.

Voting nay: Senators Bauer, Bottiger, Fleming, Gaspard, Goltz, Hughes, Hurley, Lysen, Moore, Peterson, Pullen, Rasmussen, Ridder, Talmadge, Vognild, Wilson, Woody—17.

Absent or not voting: Senators Benitz, Conner, Craswell, McDermott, Shinpoch, Wojahn—6.

Excused: Senator Talley—1.

HOUSE CONCURRENT RESOLUTION NO. 50, having received the constitutional majority, was declared passed.

SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 4250,

SENATE BILL NO. 4995,

SENATE JOINT MEMORIAL NO. 115.

FIRST READING OF HOUSE RESOLUTION

HOUSE CONCURRENT RESOLUTION NO. 52, by Representatives Eberle, King (R), Prince and Walk:
Prescribing procedures for legislative review of agency rules.

MOTIONS

On motion of Senator Clarke, the rules were suspended, House Concurrent Resolution No. 52 was advanced to second reading and read the second time in full.

On motion of Senator Clarke, the rules were suspended, House Concurrent Resolution No. 52 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of House Concurrent Resolution No. 52, and the resolution passed the Senate by the following vote: Yeas, 42; absent or not voting, 6; excused, 1.

Voting yea: Senators Bauer, Bluechel, Bottiger, Charnley, Clarke, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Woody, Zimmerman—42.

Absent or not voting: Senators Benitz, Conner, McDermott, Sellar, Shipoch, Wojahn—6.

Excused: Senator Talley—1.

HOUSE CONCURRENT RESOLUTION NO. 52, having received the constitutional majority, was declared passed.

FIRST READING OF HOUSE RESOLUTION

HOUSE CONCURRENT RESOLUTION NO. 53, by Representatives Nelson (G) and Ehlers:
Providing plans for organization of interim activities of the legislature.

MOTIONS

On motion of Senator Clarke, the rules were suspended, House Concurrent Resolution No. 53 was advanced to second reading and read the second time in full.

On motion of Senator Ridder, Senators Conner, Shipoch and Wojahn were excused.

On motion of Senator Bluechel, Senator Benitz was excused.

On motion of Senator Clarke, the rules were suspended, House Concurrent Resolution No. 53 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

POINT OF INQUIRY

Senator Bottiger: "Senator Clarke, or Senator Hayner, if you would yield to a question please on 53? Senator Hayner, I admit to being paranoid. I have a proposal dated February 25 to return and reorganize the Senate and the House back to the days of the legislative council, which would eliminate the interim committee activities, a plan which I oppose in every way I can because I remember those days. Is there any intent in this resolution or any authority that the joint House-Senate rules

committee could do such a thing without the approval of the rest of the Legislature."

Senator Hayner: "No, there is not."

Senator Bottiger: "So all this is a study and a report back to the next session as to potential reorganization of joint activities?"

Senator Hayner: "That is absolutely right."

ROLL CALL

The Secretary called the roll on the final passage of House Concurrent Resolution No. 53, and the resolution passed the Senate by the following vote: Yeas, 36; nays, 4; absent or not voting, 4; excused, 5.

Voting yea: Senators Bauer, Bluechel, Charnley, Clarke, Deccio, Fleming, Fuller, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, Lysen, McDermott, Metcalf, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Woody, Zimmerman—36.

Voting nay: Senators Hughes, Hurley, McCaslin, Moore—4.

Absent or not voting: Senators Bottiger, Craswell, Gallagher, Sellar—4.

Excused: Senators Benitz, Conner, Shinoch, Talley, Wojahn—5.

HOUSE CONCURRENT RESOLUTION NO. 53, having received the constitutional majority, was declared passed.

MOTIONS

On motion of Senator Clarke, the Senate advanced to the eighth order of business.

On motion of Senator Clarke, the Committee on Energy and Utilities was relieved from further consideration of Senate Bill No. 4996.

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 4996 was placed on the second reading calendar for today.

SECOND READING

SENATE BILL NO. 4996, by Senator Gould:

Relating to joint operating agencies.

The bill was read the second time by sections.

Senator Gould moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 43.52.250, chapter 8, Laws of 1965 as last amended by section 1, chapter 1, Laws of 1981 1st ex. sess. and RCW 43.52.250 are each amended to read as follows:

As used in this chapter and unless the context indicates otherwise, words and phrases shall mean:

"District" means a public utility district as created under the laws of the state of Washington authorized to engage in the business of generating and/or distributing electricity.

"City" means any city or town in the state of Washington authorized to engage in the business of generating and/or distributing electricity.

"Canada" means Canada or any province thereof.

"Operating agency" or "joint operating agency" means a municipal corporation created pursuant to RCW 43.52.360, as now or hereafter amended.

"Board of directors" means the board established under RCW 43.52.370.

"Executive board" means the board established under RCW 43.52.374.

"Board" means the board of directors of the joint operating agency unless the operating agency is constructing, operating, terminating, or decommissioning a

nuclear power plant under a site certification agreement under chapter 80.50 RCW, in which case "board" means the executive board.

"Public utility" means any person, firm or corporation, political subdivision or governmental subdivision including cities, towns and public utility districts engaged in or authorized to engage in the business of generating, transmitting or distributing electric energy.

"Revenue bonds or warrants" means bonds, notes, bond anticipation notes, warrants, certificates of indebtedness, commercial paper, refunding or renewal obligations, payable from a special fund or revenues of the utility properties operated by the joint operating agency.

Sec. 2. Section 43.52.370, chapter 8, Laws of 1965 as last amended by section 1, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.370 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the management and control of an operating agency shall be vested in a board of directors, herein sometimes referred to as the board. The legislative body of each member of an operating agency shall appoint a representative who may, at the discretion of the member and regardless of any charter or other provision to the contrary, be an officer or employee of the member, to serve on the board of the operating agency. Each representative shall have one vote and shall have, in addition thereto, one vote for each block of electric energy equal to ten percent of the total energy generated by the agency during the preceding year purchased by the member represented by such representative. Each member may appoint an alternative representative to serve in the absence or disability of its representative. Each representative shall serve at the pleasure of the member. The board of an operating agency shall elect from its members a president, vice president and secretary, who shall serve at the pleasure of the board. The president and secretary shall perform the same duties with respect to the operating agency as are provided by law for the president and secretary, respectively, of public utility districts, and such other duties as may be provided by motion, rule or resolution of the board. The board of an operating agency shall adopt rules for the conduct of its meetings and the carrying out of its business, and adopt an official seal. All proceedings of an operating agency shall be by motion or resolution and shall be recorded in the minute book which shall be a public record. A majority of the board members shall constitute a quorum for the transaction of business. A majority of the votes which the members present are entitled to cast shall be necessary and sufficient to pass any motion or resolution: PROVIDED, That such board members are entitled to cast a majority of the votes of all members of the board. The members of the board of an operating agency may be compensated by such agency as is provided in RCW 43.52.290: PROVIDED, That the per diem compensation to any member shall not exceed five thousand dollars in any year except for board members who are elected to serve on an executive board established under RCW 43.52.374, in which case per diem compensation to any member shall not exceed ten thousand dollars in any year.

(2) If an operating agency is constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW, the powers and duties of the board of directors shall include and are limited to the following:

(a) Final authority on any decision of the operating agency to purchase, acquire, construct, ~~((or sell))~~ terminate, or decommission any power plants, works, and facilities except that once the board of directors has made a final decision regarding a nuclear power plant, the executive board established under RCW 43.52.374 shall have the authority to make all subsequent decisions regarding the plant and any of its components;

~~(b) ((Acceptance or rejection of bids or offers for bonds and the sale and issuance of bonds: PROVIDED, That the board may delegate this authority to the executive board;~~

~~(c) Appointment of a treasurer under RCW 43.52.375;~~

~~(d)) Election of members to and removal from the executive board under RCW 43.52.374(1)(a); and~~

~~((c) Approve annual budgets submitted by the executive board; and~~

~~(f) Select, appoint, and establish the compensation of the outside directors as provided in RCW 43.52.374)) (c) Selection and appointment of three outside directors as provided in RCW 43.52.374(1)(b).~~

All other powers and duties of the operating agency, including without limitation authority for all actions subsequent to final decisions by the board of directors, including but not limited to the authority to sell any power plant, works, and facilities are vested in the executive board established under RCW 43.52.374.

Sec. 3. Section 2, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.374 are each amended to read as follows:

(1) With the exception of the powers and duties of the board of directors described in RCW 43.52.370(2), the management and control of an operating agency constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW is vested in an executive board established under this subsection and consisting of eleven members.

(a) ~~((Seven))~~ Five members of the executive board shall be elected to four-year terms by the board of directors from among the members of the board of directors. The board of directors may provide by rule for the composition of the ~~((seven))~~ five members of the executive board elected from among the members of the board of directors so as to ~~((afford fair representation which reflects))~~ reflect the member public utility districts' and cities' participation in the joint operating agency's projects. The board of directors may also provide by rule for the removal of a member of the executive board, ~~((including))~~ except for the outside directors. Members of the board of directors may be elected to serve successive terms on the executive board.

(b) ~~((Four))~~ Six members of the executive board shall be outside directors ~~((and)).~~ Three shall be selected and appointed by the board of directors, and three shall be selected and appointed by the governor and confirmed by the senate. ~~((The))~~ All outside directors shall:

(i) Serve four-year terms on the executive board. However, of the initial members of the executive board, the board of directors and the governor shall ~~((choose by lot two outside directors to serve two-year terms and two to serve four-year terms))~~ each appoint one outside director to serve a two-year term, one outside director to serve a three-year term, and one outside director to serve a four-year term. Thereafter, all outside directors shall be appointed for four-year terms. All outside directors are eligible for reappointment;

(ii) Receive per diem compensation and travel expenses on the same basis as the ~~((seven))~~ five members elected from the board of directors. The outside directors ~~((may be paid additional compensation as established by the board of directors))~~ shall also receive a salary from the operating agency as fixed by the governor;

(iii) Not be an officer or employee of, or in any way affiliated with, the Bonneville power administration or any electric utility conducting business in the states of Washington, Oregon, Idaho, or Montana;

(iv) Not be involved in the financial affairs of the operating agency as an underwriter or financial adviser of the operating agency or any of its members or any of the participants in any of the operating agency's plants; and

(v) Be representative of policy makers in business, finance, or science, or ~~((be recognized experts))~~ have expertise in the construction or management of such

facilities as the operating agency is constructing or operating, or have expertise in the termination, disposition, or liquidation of corporate assets.

(c) ~~((The president of the board of directors shall be a nonvoting member of the executive board and shall serve as the presiding officer of the executive board.))~~ The governor may remove outside directors from the executive board for incompetency, misconduct, or malfeasance in office in the same manner as state appointive officers under chapter 43.06 RCW. For purposes of this subsection, misconduct shall include, but not be limited to, nonfeasance and misfeasance.

(2) Nothing in this chapter shall be construed to mean that an operating agency is in any manner an agency of the state. Nothing in this chapter alters or destroys the status of an operating agency as a separate municipal corporation or makes the state liable in any way or to any extent for any preexisting or future debt of the operating agency or any present or future claim against the agency.

(3) The eleven members of the executive board shall be selected with the objective of establishing an executive board which has the resources to effectively carry out its responsibilities. ((To the extent reasonably possible, the membership and operation of the executive board should be patterned after boards of directors of large private corporations.)) All members of the executive board shall conduct their business in a manner which in their judgment is in the interest of all ratepayers affected by the joint operating agency and its projects.

(4) The executive board shall elect from its members a chairman, vice chairman, and secretary, who shall serve at the pleasure of the executive board. The executive board shall adopt rules for the conduct of its meetings and the carrying out of its business. All proceedings shall be by motion or resolution and shall be recorded in the minute book, which shall be a public record. A majority of the executive board shall constitute a quorum for the transaction of business.

(5) With respect to any operating agency existing on ((July 28, 1981)) the effective date of this 1982 act, to which the provisions of this section are applicable:

(a) The board of directors shall elect ((seven)) five members to the executive board no later than sixty days after ((July 28, 1981)) the effective date of this 1982 act; and

(b) The board of directors and the governor shall select and appoint the initial outside directors and the executive board shall hold its organizational meeting no later than ((ninety)) sixty days after ((July 28, 1981)) the effective date of this 1982 act, and the powers and duties prescribed in ((RCW 43.52.375, 43.52.378, and this section)) this chapter shall devolve upon the executive board at that time.

(6) The executive board shall select and employ a managing director of the operating agency and may delegate to the managing director such authority for the management and control of the operating agency as the executive board deems appropriate. The managing director's employment is terminable at the will of the executive board.

(7) ((Any executive board created under this section shall cease to function upon the initiation of regular operations of the nuclear power plant over which it has exercised construction management powers and duties. If the operating agency is constructing two or more nuclear power plants simultaneously, the executive board shall cease exercising all powers as to each plant as it becomes operational.)) Members of the executive board shall be immune from civil liability for mistakes and errors of judgment in the good faith performance of acts within the scope of their official duties involving the exercise of judgment and discretion. This grant of immunity shall not be construed as modifying the liability of the operating agency.

The operating agency shall undertake the defense of and indemnify each executive board member made a party to any civil proceeding including any threatened, pending, or completed action, suit, or proceeding, whether civil, administrative, or investigative, by reason of the fact he or she is or was a member of the executive

board, against judgments, penalties, fines, settlements, and reasonable expenses, actually incurred by him or her in connection with such proceeding if he or she had conducted himself or herself in good faith and reasonably believed his or her conduct to be in the best interest of the operating agency.

In addition members of the executive board who are utility employees shall not be fired, forced to resign, or demoted from their utility jobs for decisions they make while carrying out their duties as members of the executive board involving the exercise of judgment and discretion.

NEW SECTION. Sec. 4. (1) All personnel and employees of a board of directors or executive board or committee displaced by section 3 of this act shall become personnel and employees of the executive board created in section 3 of this act without any loss of rights, subject to any appropriate action thereafter.

(2) All pending business before a board of directors or executive board or committee which is replaced by the executive board created in section 3 of this act shall be continued and acted upon by the new executive board.

(3) This act shall not be construed to alter:

(a) Any existing rights acquired under laws relating to operating agencies;

(b) The status of any actions, activities, or civil or criminal proceedings of any existing operating agencies;

(c) The status of any collective bargaining agreements, indebtedness, contracts, or other obligations;

(d) Any valid resolutions, covenants, or agreements between an operating agency and members, participants in any electric generating facility, privately owned public utilities, or agencies of the federal government; or

(e) Any rules, resolutions, or orders adopted by a board of directors or executive board or committee until canceled or superseded.

Sec. 5. Section 43.52.290, chapter 8, Laws of 1965 as amended by section 3, chapter 184, Laws of 1977 ex. sess. and RCW 43.52.290 are each amended to read as follows:

Members of the board of directors of an operating agency shall be paid the sum of fifty dollars per day for each day or major part thereof devoted to the business of the operating agency, together with their traveling and other necessary expenses. Such member may, regardless of any charter or other provision to the contrary, be an officer or employee holding another public position and, if he be such other public officer or employee, he shall be paid by the operating agency such amount as will, together with the compensation for such other public position equal the sum of fifty dollars per day. The common law doctrine of incompatibility of offices is hereby voided as it applies to persons sitting on the board of directors or the executive board of an operating agency and holding an elective or appointive position on a public utility district commission or municipal legislative authority or being an employee of a public utility district or municipality.

Sec. 6. Section 43.52.373, chapter 8, Laws of 1965 and RCW 43.52.373 are each amended to read as follows:

The board of directors of an operating agency by rule may create an executive committee to be composed of not less than three nor more than seven members of the board of directors. The board of directors may provide by rule for the composition of the executive committee so as to afford, in its judgment, fair representation to the member public utility districts and cities. The executive committee shall administer the business of the board of directors during intervals between its meetings in accordance with its rules, motions or resolutions. The executive committee shall have authority to acquire or construct only such properties as may be provided for by motion or resolution of the board of directors. The terms of office of the members of the executive committee and the method of filling vacancies therein shall be fixed by the rules of the board of directors of the operating agency.

Sec. 7. Section 43.52.375, chapter 8, Laws of 1965 as amended by section 3, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.375 are each amended to read as follows:

The board of each joint operating agency shall by resolution appoint a treasurer. ~~((If the joint operating agency is constructing a nuclear power plant under a site certification agreement under chapter 80.50 RCW, the appointment of the treasurer shall be on the recommendation of the executive board established under RCW 43.52.374.))~~ The treasurer shall be the chief financial officer of the operating agency, who shall report at least annually to the board a detailed statement of the financial condition of the operating agency and of its financial operations for the preceding fiscal year. The treasurer shall advise the board on all matters affecting the financial condition of the operating agency. Before entering upon his duties the treasurer shall give bond to the operating agency, with a surety company authorized to write such bonds in this state as surety, in an amount which the board finds by resolution will protect the operating agency against loss, conditioned that all funds which he receives as such treasurer will be faithfully kept and accounted for and for the faithful discharge of his duties. The amount of such bond may be decreased or increased from time to time as the board may by resolution direct.

The board shall also appoint an auditor and may require him to give a bond with a surety company authorized to do business in the state of Washington in such amount as it shall by resolution prescribe, conditioned for the faithful discharge of his duties. ~~((If the joint operating agency is constructing a nuclear power plant under a site certification agreement under chapter 80.50 RCW, the auditor shall be appointed by the executive board.))~~ The auditor shall report directly to the board and be responsible to it for discharging his duties.

The premiums on the bonds of the auditor and the treasurer shall be paid by the operating agency. The board may provide for coverage of said officers and other persons on the same bond.

All funds of the joint operating agency shall be paid to the treasurer and shall be disbursed by him only on warrants issued by the auditor upon orders or vouchers approved by the board: PROVIDED, That the board by resolution may authorize the ~~((executive committee or executive board))~~ managing director or any other bonded officer or employee as legally permissible to approve or disapprove vouchers presented to defray salaries of employees and other expenses of the operating agency arising in the usual and ordinary course of its business ((and expenses incurred by the executive committee or executive board in the performance of such duties as the operating agency may authorize it to perform)), including expenses incurred by the board of directors, its executive committee, or the executive board in the performance of their duties. All moneys of the operating agency shall be deposited forthwith by the treasurer in such depositories, and with such securities as are designated by rules of the board. The treasurer shall establish a general fund and such special funds as shall be created by the board, into which he shall place all money of the joint operating agency as the board by resolution or motion may direct.

Sec. 8. Section 1, chapter 220, Laws of 1979 ex. sess. as amended by section 4, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.378 are each amended to read as follows:

The executive board of any operating agency constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement issued pursuant to chapter 80.50 RCW shall appoint an administrative auditor. The administrative auditor shall be deemed an officer under chapter 42.23 RCW. The appointment of the administrative auditor shall be in addition to the appointment of the auditor for the issuance of warrants and other purposes as provided in RCW 43.52.375. The executive board shall retain a qualified firm or firms to conduct performance audits ~~((including such engineering expertise as the executive board~~

deems necessary;)) which is in fact independent and does not have any interest, direct or indirect, in any contract with the operating agency other than its employment hereunder. No member or employee of any such firm shall be connected with the operating agency as an officer, employee, or contractor. The administrative auditor and the firm or firms shall be independently and directly responsible to the executive board of the operating agency. The executive board shall require a firm to conduct continuing audits of the methods, procedures and organization used by the operating agency to control costs, schedules, productivity, contract amendments, project design and any other topics deemed desirable by the executive board. The executive board may also require a firm to analyze particular technical aspects of the operating agency's projects and contract amendments. The firm or firms shall provide advice to the executive board in its management and control of the operating agency. At least once each year, the firm or firms shall prepare and furnish a report of its actions and recommendations to the executive board for the purpose of enabling it to attain the highest degree of efficiency in the management and control of any thermal power project under construction or in operation. The administrative auditor shall assist the firm or firms in the performance of its duties. The administrative auditor and the firm or firms shall consult regularly with the executive board and furnish any information or data to the executive board which the administrative auditor, firm, or executive board deems helpful in accomplishing the purpose above stated. The administrative auditor shall perform such other duties as the executive board shall prescribe to accomplish the purposes of this section.

In addition to the powers and duties conferred by chapter 44.28 RCW, the legislative budget committee shall evaluate such management audits as to adequacy and effectiveness of procedure and shall consult with and make reports and recommendations to the executive board. The operating agency shall reimburse the legislative budget committee for all costs of furnishing such services.

The operating agency shall file a copy of each firm's reports, and the legislative budget committee shall file a copy of each of its reports or recommendations in a timely manner, prepared in accordance with this section, with the respective chairmen of the senate and house energy and utilities committees. Upon the concurrent request of the chairmen of the senate or house energy and utilities committees, the operating agency shall report to the committees on a quarterly basis.

NEW SECTION. Sec. 9. There is added to chapter 43.52 RCW a new section to read as follows:

For the purposes of this chapter, including but not limited to RCW 43.52.343, the best interests of all ratepayers affected by the joint operating agency and its projects shall determine the interest of the operating agency and its board.

Sec. 10. Section 2, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.020 are each amended to read as follows:

As used in this chapter unless the context indicates otherwise:

(1) "Public agency" means:

(a) Any state board, commission, committee, department, educational institution, or other state agency which is created by or pursuant to statute, other than courts and the legislature((-));

(b) Any county, city, school district, special purpose district, or other municipal corporation or political subdivision of the state of Washington;

(c) Any subagency of a public agency which is created by or pursuant to statute, ordinance, or other legislative act, including but not limited to planning commissions, library or park boards, commissions, and agencies;

(d) Any policy group whose membership includes representatives of publicly owned utilities formed by or pursuant to the laws of this state when meeting together as or on behalf of participants who have contracted for the output of generating plants being planned or built by an operating agency.

(2) "Governing body" means the multimember board, commission, committee, council, or other policy or rule-making body of a public agency.

(3) "Action" means the transaction of the official business of a public agency by a governing body including but not limited to a collective decision made by a majority of the members of a governing body, a collective commitment or promise by a majority of the members of a governing body to make a positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance.

(4) "Meeting" means meetings at which action is taken.

NEW SECTION. Sec. 11. 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. 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."

Senator Williams moved adoption of the following amendment to the amendment by Senator Gould:

Beginning on page 6, strike all of section 3 and renumber the remaining sections accordingly.

Debate ensued.

POINT OF INQUIRY

Senator Williams: "I am wondering if you have ever gotten an explanation from those in the House who would not accept the version that we sent over which had four members appointed by the Governor — is there any reasonable, logical explanation of why they now insist on three members appointed by the Governor and these other three — in other words, this change. What is being done that is different? What is the rationale for that board membership or makeup as opposed to the bill that we did send over?"

Senator Gould: "I believe the House and some of us who agree with it feel very strongly that there should be some outside directors on the board who are not responsible directly to the board of directors who were appointed by the Governor and who are then separated from the full board of directors and can make their decisions based on that kind of a situation. Also, frankly, because times have changed since the last four appointees, because the stability of the system is in question, because of the potential effect of 394, because we have had other board members resign, that now anyone who will be appointed who can really do the job and provide the expertise has to know that it going to be a stable board and really get the Office of the Governor to be one of those that requests their presence on the board."

Senator Williams: "I have heard the answer but I still have not heard quite why their version versus the version which essentially was your version that was sent over, which did have four gubernatorial appointments which were outside of the board and so forth. I have failed to hear still any rationale for their particular makeup of the board as opposed to the version that the Senate sent over which did have four gubernatorial appointments."

POINT OF INQUIRY

Senator Rasmussen: "Senator Gould, just quickly scanning this bill, is there a good strong disclaimer in this legislation drawn by the Attorney General's office saying that the state assumes no fiscal responsibility?"

Senator Gould: "There is good strong legislation to that effect, yes."

Senator Rasmussen: "And the state then, even those four people or five people appointed by the Governor could be the key vote, three, could be the key vote on spending billions of dollars that the state still can relieve itself of liability?"

Senator Gould: "Yes."

Senator Rasmussen: "Thank you. You should put that on the record, Senator."

Senator Gould: "The answer is yes."

Senator Rasmussen: "It doesn't register very well shaking your head."

Senator Williams demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senator Williams to the amendment by Senator Gould.

ROLL CALL

The Secretary called the roll and the amendment to the amendment was not adopted by the following vote: Yeas, 20; nays, 25; excused, 4.

Voting yea: Senators Bauer, Bottiger, Charnley, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Pullen, Rasmussen, Ridder, Talmadge, Vognild, Williams, Wilson—20.

Voting nay: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Quigg, Scott, Sellar, von Reichbauer, Woody, Zimmerman—25.

Excused: Senators Conner, Shipoch, Talley, Wojahn—4.

PARLIAMENTARY INQUIRY

Senator Kiskaddon: "We have just considered an amendment that would strike all of Section 3. Is it appropriate to consider any of these amendments that would then perfect or do something to a part of Section 3?"

REPLY BY THE PRESIDENT

President Cherberg: "Senator Kiskaddon, the striking amendment was not adopted by the Senate."

Senator Pullen moved adoption of the following amendment to the amendment by Senator Gould:

On page 11, line 16, after "agency" and before the period insert "nor shall it limit the liability of any member of the executive board who commits an illegal act"

Debate ensued.

The motion by Senator Pullen failed and the amendment to the amendment by Senator Gould was not adopted.

Senator Pullen moved adoption of the following amendment to the amendment by Senator Gould:

On page 11, section 3, strike all of lines 7 through 16.

Debate ensued.

The motion by Senator Pullen failed and the amendment to the amendment by Senator Gould was not adopted.

On motion of Senator Williams, there being no objection, two amendments on the desk of the Secretary of the Senate to page 13, line 8 and page 22, line 29 were withdrawn.

Senator Pullen moved adoption of the following amendment to the amendment by Senator Gould:

On page 14, line 4 after "municipality" and before the period insert "Such doctrine of incompatibility is also voided with respect to the offices of county councilman or commissioner and state legislator and a person may be a candidate for both such offices at the same election."

Debate ensued.

The motion by Senator Pullen failed and the amendment to the amendment by Senator Gould was not adopted.

The motion by Senator Gould carried and the amendment was adopted.

On motion of Senator Gould, the following amendment to the title was adopted:

On page 1, on line 1, after "agencies;" strike the remainder of the title and insert "amending section 43.52.250, chapter 8, Laws of 1965 as last amended by section 1, chapter 1, Laws of 1981 1st ex. sess. and RCW 43.52.250; amending section 43.52.370, chapter 8, Laws of 1965 as last amended by section 1, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.370; amending section 2, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.374; amending section 43.52.290, chapter 8, Laws of 1965 as amended by section 3, chapter 184, Laws of 1977 ex. sess. and RCW 43.52.290; amending section 43.52.373, chapter 8, Laws of 1965 and RCW 43.52.373; amending section 43.52.375, chapter 8, Laws of 1965 as amended by section 3, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.375; amending section 1, chapter 220, Laws of 1979 ex. sess. as amended by section 4, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.378; amending section 2, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.020; adding a new section to chapter 43.52 RCW; creating a new section; and declaring an emergency."

MOTIONS

On motion of Senator Ridder, Senator Bottiger was excused.

On motion of Senator Gould, the rules were suspended, Engrossed Senate Bill No. 4996 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

Senators Scott, Benitz and Hemstad 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 Senate Bill No. 4996.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4996, and the bill passed the Senate by the following vote: Yeas, 25; nays, 19; excused, 5.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Quigg, Scott, Sellar, von Reichbauer, Woody, Zimmerman—25.

Voting nay: Senators Bauer, Charnley, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Pullen, Rasmussen, Ridder, Talmadge, Vognild, Williams, Wilson—19.

Excused: Senators Bottiger, Conner, Shinpoch, Talley, Wojahn—5.

ENGROSSED SENATE BILL NO. 4996, having received the 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 Gould, Engrossed Senate Bill No. 4996 was ordered immediately transmitted to the House.

MESSAGES FROM THE HOUSE

April 10, 1982.

Mr. President: The Speaker has signed:

SENATE BILL NO. 4250,

SENATE BILL NO. 4995,

SENATE JOINT MEMORIAL NO. 115, and the same are herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

April 10, 1982.

Mr. President: The Speaker has signed: SUBSTITUTE HOUSE BILL NO. 1230, and the same is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: SUBSTITUTE HOUSE BILL NO. 1230.

MESSAGE FROM THE HOUSE

April 10, 1982.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 4369, and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

VITO T. CHIECHI, Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

April 10, 1982.

Mr. President:

Mr. Speaker:

We of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 4369, as amended by the House, modifying appropriations for the 1981-83 fiscal biennium, have had the same under consideration, and we recommend that Senate Bill No. 4369, be passed as amended by the Free Conference Committee. The Free Conference report follows:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1.

INDEX

Accountancy Board, sec. 31
 Administrator for the Courts, sec. 9
 Agriculture Department, sec. 68
 Archaeology and Historic Preservation Office, sec. 64
 Arts Commission, sec. 97
 Asian-American Affairs Commission, sec. 16
 Attorney General, sec. 20
 Blind Commission, sec. 57
 Boxing Commission, sec. 32
 Central Washington University, secs. 88, 91
 Chief Administrative Law Judge, sec. 104
 Columbia River Gorge Commission, sec. 60
 Commerce and Economic Development Department, sec. 65
 Community College Education Board, secs. 84, 91
 Compact for Education, sec. 93

- Corrections Department, secs. 38, 39, 106
- Court of Appeals, sec. 8
- Data Processing Authority, sec. 23
- Deferred Compensation Committee, sec. 24
- Eastern Washington State Historical Society, sec. 99
- Eastern Washington University, secs. 87, 91
- Ecology Department, sec. 61
- Emergency Services Department, sec. 35
- Employment Security Department, sec. 56
- Energy Fair '83, sec. 105
- Energy Office, sec. 59
- Environmental Hearings Office, sec. 62
- Environmental Policy Commission, sec. 70
- Fisheries Department, sec. 66
- General Administration Department, secs. 27, 114
- Governor, sec. 11
- Governor, Special Appropriations, sec. 12
- Hospital Commission, sec. 55
- Human Rights Commission, sec. 52
- Indian Affairs Office, sec. 16
- Insurance Commissioner, sec. 28
- Jail Commission, sec. 58
- Judicial Council, sec. 10
- Judicial Information System, sec. 113
- Judicial Qualifications Commission, sec. 109
- Labor and Industries Department, sec. 53
- Law Library, sec. 7
- Legislative Budget Committee, sec. 2
- Legislative Evaluation and Accountability Program Committee, sec. 3
- Lieutenant Governor, sec. 13
- Liquor Control Board, sec. 33
- Licensing Department, sec. 69
- Mexican-American Affairs Commission, sec. 16
- Military Department, sec. 36
- Minority and Women's Affairs Office, sec. 15
- Natural Resources Department, sec. 67
- Office of Financial Management, sec. 21
- Parks and Recreation Commission, sec. 63
- Personnel Appeals Board, sec. 22
- Pharmacy Board, sec. 34
- Planning and Community Affairs Agency, sec. 51
- Postsecondary Education Council, sec. 92
- Prison Terms and Paroles Board, sec. 54
- Productivity measures, sec. 103
- Public Broadcasting Commission, sec. 94
- Public Disclosure Commission, sec. 30
- Public Employment Relations Commission, sec. 37
- Revenue Department, sec. 25
- Secretary of State, sec. 14
- Sentencing Guidelines Commission, sec. 107
- Social and Health Services Department, Administration and Supporting Services Program, sec. 47
- Social and Health Services Department, Community Services Administration Program, sec. 48

- Social and Health Services Department, Community Social Services Grants Program, sec. 44
- Social and Health Services Department, Developmental Disabilities Program, sec. 41
- Social and Health Services Department, Income Maintenance Grants Program, sec. 43
- Social and Health Services Department, Medical Assistance Grants Program, sec. 45
- Social and Health Services Department, Mental Health Program, sec. 40
- Social and Health Services Department, Nursing Homes Program, sec. 42
- Social and Health Services Department, Services for the Blind, sec. 49
- Social and Health Services Department, Vocational Rehabilitation Program, sec. 46
- State Actuary, sec. 4
- State Auditor, sec. 18
- State Capitol Historical Association, sec. 100
- State Historical Society, sec. 98
- State Library, sec. 96
- State Patrol, sec. 110
- State Treasurer, sec. 17
- State Treasurer, State Revenues for Distribution, sec. 29
- State Treasurer, Transfers, sec. 101
- Statute Law Committee, sec. 5
- Sundry Claims, sec. 102
- Superintendent of Public Instruction, Basic Education, sec. 72
- Superintendent of Public Instruction, Block Grants, sec. 80
- Superintendent of Public Instruction, Educational Clinics, sec. 82
- Superintendent of Public Instruction, Educational Service Districts, sec. 79
- Superintendent of Public Instruction, Food Service, sec. 77
- Superintendent of Public Instruction, Handicapped Costs, sec. 78
- Superintendent of Public Instruction, Pupil Transportation, sec. 75
- Superintendent of Public Instruction, Reductions, sec. 83
- Superintendent of Public Instruction (including State Education Board), sec. 71
- Superintendent of Public Instruction, Salary and Compensation Increases, secs. 73, 74
- Superintendent of Public Instruction, State Institutional Education Programs, sec. 81
- Superintendent of Public Instruction, Vocational-Technical Institutes, sec. 76
- Supreme Court, sec. 6
- Tax Appeals Board, sec. 26
- The Evergreen State College, secs. 89, 91
- Transportation Department, secs. 111, 112
- University of Washington, secs. 85, 91
- Veterans Affairs Department, sec. 49
- Vocational Education Commission, sec. 95
- Washington State University, secs. 86, 91
- Western Washington University, secs. 89, 91
- Winter Recreation Commission, sec. 108

Sec. 2. Section 4, chapter 340, Laws of 1981 as amended by section 5, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation	\$	((1,163,000))
		<u>1,303,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$50,000 is provided solely for the study of duplication of courses and programs in higher education. The study shall include, but not be limited to: (a) Undergraduate, graduate, professional, vocational, research, and extension programs; and (b) programs offered by universities, colleges, community colleges, and vocational-technical institutes. The committee may contract with the council for postsecondary education to perform this study.

(2) \$125,000 is provided solely for a grant to study the structure and management of education systems, kindergarten through higher education, in the manner outlined in Reengrossed Senate Bill No. 3609. Of this amount, \$25,000 is provided directly for the study and up to \$100,000 may be used as matching funds for private moneys received for the same purpose.

Sec. 3. Section 5, chapter 340, Laws of 1981 as amended by section 6, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund Appropriation \$ ~~((1,180,000))~~
1,145,000

Sec. 4. Section 6, chapter 340, Laws of 1981 as amended by section 7, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE STATE ACTUARY

General Fund Appropriation \$ ~~((296,000))~~
287,000

Sec. 5. Section 7, chapter 340, Laws of 1981 as amended by section 8, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATUTE LAW COMMITTEE

General Fund Appropriation \$ ~~((4,275,000))~~
4,147,000

Sec. 6. Section 8, chapter 340, Laws of 1981 as amended by section 9, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPREME COURT

General Fund Appropriation \$ ~~((5,710,000))~~
5,630,000

The appropriation in this section is subject to the following condition or limitation: \$1,325,000 is provided solely for indigent appeal cases.

Sec. 7. Section 9, chapter 340, Laws of 1981 as amended by section 10, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE LAW LIBRARY

General Fund Appropriation \$ ~~((1,658,000))~~
1,608,000

The appropriation in this section is subject to the following condition or limitation: All nonstate agency users of the Westlaw system shall be charged a service fee sufficient to cover the costs of their usage.

Sec. 8. Section 10, chapter 340, Laws of 1981 as amended by section 11, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund Appropriation \$ ~~((7,820,000))~~
7,720,000

The appropriation in this section is subject to the following condition or limitation: \$1,273,000 is provided solely for lease and associated costs for Division I relocation, and no other moneys may be expended for these purposes.

Sec. 9. Section 11, chapter 340, Laws of 1981 as amended by section 12, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund Appropriation	\$	((10,485,000))
		10,295,000
General Fund—Judiciary Education Account Approp- riation	\$	359,000
Total Appropriation	\$	((10,844,000))
		10,654,000

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

(1) A maximum of \$8,185,000 of the general fund appropriation may be spent for the superior court judges, including prior claims. Of this amount, \$310,000 is provided solely for criminal cost bills, including prior claims; \$300,000 is provided solely for mandatory arbitration costs, including prior claims; and \$114,000 is provided solely for judges pro tempore for the superior courts. The administrator for the courts shall authorize and approve all such expenditures.

(2) Effective July 1, 1982, costs associated with the operation of the judicial council shall be borne by the administrator for the courts.

Sec. 10. Section 12, chapter 340, Laws of 1981 as amended by section 13, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE JUDICIAL COUNCIL

General Fund Appropriation	\$	((264,000))
		129,000

The appropriation in this section is subject to the following condition or limitation: \$129,000 is provided solely for fiscal year 1982.

Sec. 11. Section 13, chapter 340, Laws of 1981 as amended by section 14, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR

General Fund Appropriation—State	\$	((3,195,000))
		3,099,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$2,851,000 of the state general fund appropriation may be spent for executive operations.

(2) A maximum of \$193,000 of the state general fund appropriation may be spent for extradition expenses to carry out the provisions of RCW 10.34.030 providing for the return of fugitives by the governor, including prior claims and for extradition-related legal services as determined by the attorney general.

(3) A maximum of \$151,000 of the state general fund appropriation is provided solely for mansion maintenance, and no other moneys may be expended for this purpose.

(4) A maximum of \$1,000 of the state general fund appropriation may be spent for implementation of the corporate responsibilities award program under which appropriate recognition shall be awarded by the governor to those private businesses or corporations which contribute at least two percent of their before-tax profit to programs which result in a reduction in state government costs, especially those programs which aid the poor and infirm.

Sec. 12. Section 14, chapter 340, Laws of 1981 as amended by section 15, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE GOVERNOR—SPECIAL APPROPRIATIONS

General Fund Appropriation—State	\$	((137,236,000))
		112,569,000
General Fund Appropriation—Federal	\$	((24,211,000))
		20,446,000

Special Fund Salary and Insurance Contribution

Increase Revolving Fund Appropriation	\$	((48,687,000)) 40,972,000
Total Appropriation	\$	((216,134,000)) 173,987,000

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

(1) A maximum of \$~~((2,247,000))~~ 2,180,000 is for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency.

(2) (a) A maximum of \$~~((129,349,000))~~ 100,984,000 of general fund moneys (including \$~~((19,049,000))~~ 15,284,000 in federal funds) may be expended to implement salary increases, effective October 1, 1981, averaging 7.5% for higher education classified employees and 7.2% for commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board); and effective ~~((February 1))~~ June 30, 1983, a salary increase averaging 7.0% for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board): PROVIDED, That the October 1, 1981, salary increase for higher education classified employees and state personnel board classified and exempt employees shall implement the salary ranges adopted by the higher education and state personnel boards resulting from the 1980 salary survey (catch-up results): PROVIDED, That increases granted in this subsection for higher education faculty and administrative exempt employees are inclusive of increments: PROVIDED FURTHER, That exclusive of merit pool and Washington state university (143) increase funds no higher education institution or community college district may grant from any fund source whatsoever any salary increases greater than that provided in this subsection.

(b) A maximum of \$29,851,000 of general fund moneys (including \$5,162,000 in federal funds) may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$22,339,000 of this amount (including \$3,947,000 in federal funds) may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$7,512,000 of this amount (including \$1,215,000 in federal funds) may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee.

(c) A maximum of \$~~((39,155,000))~~ 31,440,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect salary increases for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the

jurisdiction of the state or higher education personnel board) calculated in accordance with the procedures outlined in subsection (2)(a) of this section.

(d) A maximum of \$9,532,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$7,289,000 of this amount may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$2,243,000 of this amount may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee. Any moneys resulting from a dividend or refund attributable to the experience of an insurance or health care plan calculated at the end of the contract year shall not be used to increase employee insurance benefits over the level of services provided on the effective date of this 1982 act.

(e) To facilitate payment of state employee salary increases from special funds and to facilitate payment of state employee insurance benefit increases from special funds, the state treasurer is directed to transfer sufficient income from each special fund to the special fund salary and insurance contribution increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

(f) Notwithstanding any other provision of this subsection (2), Walla Walla community college may fund additional actual increments or their equivalents in salaries for each year of the biennium to equalize salaries to the state-wide average salaries as reflected by the average base salary of the annually contracted professional personnel of the Washington community colleges.

Sec. 13. Section 15, chapter 340, Laws of 1981 as amended by section 16, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE LIEUTENANT GOVERNOR

General Fund Appropriation	\$	((203,000))
		<u>197,000</u>

Sec. 14. Section 16, chapter 340, Laws of 1981 as amended by section 17, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund Appropriation	\$	((3,800,000))
		<u>3,730,000</u>

Archives and Records Management Account Appropria- tion	\$	1,135,000
Total Appropriation	\$	((4,935,000))
		<u>4,865,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$923,000 is provided solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising of state measures, and the publication and distribution of the voters and candidates pamphlet.

(2) \$559,000 is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures.

(3) ~~\$((25,000))~~ 24,000 is provided solely for costs associated with redistricting.

NEW SECTION. Sec. 15. There is added to chapter 340, Laws of 1981 a new section to read as follows:

FOR THE GOVERNOR—MINORITY AND WOMEN'S AFFAIRS

General Fund Appropriation	\$	100,000
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The appropriation in this section is subject to the following condition or limitation: The governor shall establish within the office of the governor an office of minority and women's affairs. The purpose of this office is to insure equal opportunity for all citizens of the state and to address the unique and special problems of women and minority groups.

Sec. 16. Section 17, chapter 340, Laws of 1981 as amended by section 18, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS, THE COMMISSION ON ASIAN-AMERICAN AFFAIRS, AND THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

Commission on Mexican-American Affairs

General Fund Appropriation	\$	((+05,000))
		<u>55,000</u>

Commission on Asian-American Affairs

General Fund Appropriation	\$	((+05,000))
		<u>55,000</u>

Governor's Office of Indian Affairs

General Fund Appropriation	\$	((+05,000))
		<u>55,000</u>

Total Appropriation	\$	((315,000))
		<u>165,000</u>

The appropriations in this section are subject to the following condition ((and)) or limitation: ((The position of executive director for each commission or office shall be retained. The agencies for which appropriations are provided by this section shall jointly fund a common secretarial/clerical pool and consolidate their respective office spaces upon expiration of current lease agreements)) The appropriations in this section are provided solely for fiscal year 1982.

Sec. 17. Section 18, chapter 340, Laws of 1981 as amended by section 19, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER

Motor Vehicle Fund Appropriation—State	\$	37,000
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State Treasurer's Service Fund Appropriation	\$	((4,930,000))
		<u>5,124,000</u>

Total Appropriation	\$	((4,967,000))
		<u>5,161,000</u>

The appropriations in this section are subject to the following condition or limitation: \$194,000 of the state treasurer's service fund appropriation is provided solely for the development, implementation, and operation of an integrated agency financial reporting system with the treasury accounting system.

Sec. 18. Section 19, chapter 340, Laws of 1981 as amended by section 20, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE AUDITOR

General Fund Appropriation—State	\$	((1,906,000))
		<u>1,849,000</u>

General Fund Appropriation—Federal	\$	352,000
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General Fund Appropriation—Private/Local	\$	48,000
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Motor Vehicle Fund Appropriation	\$	267,000
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Auditing Services Revolving Fund Appropriation	\$	5,265,000
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Total Appropriation	\$	((7,838,000))
		<u>7,781,000</u>

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

(1) The division of municipal corporations shall give high priority to examining the accuracy of local school district reporting of staff mix and enrollment data for state reimbursement purposes. Beginning with the 1981-82 school year, any significant inaccuracies shall be reported to the attorney general and the superintendent of public instruction. The superintendent shall take action to recover any overpayment which results from the reporting of inaccurate data.

(2) No general fund moneys may be expended for the training of municipal auditors or other local personnel.

(3) Legal costs incurred by the attorney general to insure compliance with the findings of the state auditor in state agency audits shall be charged to the agency that received the audit. ~~((Costs to audited agencies shall not exceed the budget preparation estimates provided by the state auditor to the committees on ways and means of the senate and house of representatives which were based on the governor's requested staff level plus seven positions.))~~

(4) The total of all billings submitted to state agencies shall reflect a 10.1% reduction from the original budget preparation estimates submitted to the ways and means committee of the senate and house of representatives in the 1981 regular session of the legislature. Such reduction shall be offset by an amount not to exceed \$338,000 which reflects the impact of salary and insurance costs not provided to the Auditing Services Revolving Fund in the original budget.

Sec. 19. Section 22, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

Net savings of general fund—state moneys realized by agencies as a result of 10.1% reductions in billings to agencies from the following funds shall be placed in reserve status by the director of financial management and shall not be expended until appropriated by law:

- (1) Auditing services revolving fund;
- (2) ~~((Legal services revolving fund;~~
- ~~(3)))~~ General administration facilities and services revolving fund (excluding the portion reflecting utilities);
- ~~((4)))~~ (3) Department of personnel service fund; and
- ~~((5)))~~ (4) Higher education personnel board service fund.

Sec. 20. Section 20, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund Appropriation	\$	((4,300,000))
		3,956,000
Legal Services Revolving Fund Appropriation	\$	((19,513,000))
		18,537,000
Total Appropriation	\$	((23,813,000))
		22,493,000

((FTE Staff Years—Fiscal Year 1982.....	317.1
FTE Staff Years—Fiscal Year 1983.....	320.1))

The appropriations in this section are subject to the following conditions ~~((or))~~ and limitations:

(1) \$150,000 of the general fund appropriation is provided solely for the continuation of the crime watch program.

(2) Net savings of state general fund moneys realized by agencies as a result of the 5% reduction in legal services revolving fund billings shall be placed in reserve status by the director of financial management. These funds shall not be expended until appropriated by law.

Sec. 21. Section 21, chapter 340, Laws of 1981 as amended by section 24, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund Appropriation—State	\$	((12,752,000))
		<u>12,674,000</u>
General Fund Appropriation—Federal	\$	6,300,000
Total Appropriation	\$	((19,052,000))
		<u>18,974,000</u>

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

- (1) \$675,000 of the general fund—state appropriation is provided solely for the completion of the higher education personnel/payroll system.
- (2) \$70,000 of the general fund—state appropriation is provided solely for the payment of assessments against state-owned land.
- (3) ~~\$((1,568,000))~~ 1,821,000 of the general fund—state appropriation is provided solely for the completion, implementation, and operation of the state budget and accounting systems development.
- (4) A maximum of \$1,553,000 of the general fund—state appropriation is provided ~~((solely))~~ for payment of supplies and services furnished in previous biennia.
- (5) \$5,000 of the general fund—state appropriation is provided solely for payment of claims against the state.
- (6) \$5,000 of the general fund—state appropriation is provided solely as state matching funds for federal law enforcement assistance administration (LEAA) carry forward funds for local government projects.

NEW SECTION. Sec. 22. There is added to chapter 340, Laws of 1981 a new section to read as follows:

FOR THE PERSONNEL APPEALS BOARD

Department of Personnel Service Fund Appropriation	\$	330,000
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Sec. 23. Section 24, chapter 340, Laws of 1981 as amended by section 26, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DATA PROCESSING AUTHORITY (OR SUCCESSOR AGENCY)

General Fund Appropriation	\$	((398,000))
		<u>386,000</u>
Data Processing Revolving Fund Appropriation	\$	418,000
Total Appropriation	\$	<u>804,000</u>

The appropriations in this section ~~((is))~~ are subject to the following conditions ~~((or))~~ and limitations: ~~(((\$398,000 is provided solely for one year. Funding for the second fiscal year of the biennium shall be considered in the 1982 regular session of the legislature based upon interim recommendations:))~~

- (1) The general fund appropriation is provided solely for fiscal year 1982.
- (2) The data processing revolving fund appropriation is provided solely for fiscal year 1983. In making expenditures from this appropriation, the agency shall first exhaust all available funds in the equipment pool account within the data processing revolving fund before expending any other moneys in the revolving fund. After the fund balance in the equipment pool account has been expended, the data processing authority shall bill and collect from the service centers an amount equal to the remaining appropriation authority under this section and any applicable salary and benefit increase allocation.

Sec. 24. Section 25, chapter 340, Laws of 1981 as amended by section 27, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMITTEE FOR DEFERRED COMPENSATION

General Fund Appropriation	\$	((31,000))
		<u>30,000</u>

Sec. 25. Section 26, chapter 340, Laws of 1981 as amended by section 28, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund Appropriation	\$	((36,493,000))
		<u>36,074,000</u>
General Fund—State Timber Tax Reserve Account		
Appropriation	\$	2,794,000
Motor Vehicle Fund Appropriation	\$	110,000
Total Appropriation	\$	((39,397,000))
		<u>38,978,000</u>

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

(1) \$393,000 of the state timber tax reserve account appropriation is provided solely for reimbursement to counties with timberland for the costs of establishing forest land grades for each parcel of classified or designated forest land.

(2) The department of revenue shall maintain advisory appraisals as required by RCW 84.41.060.

(3) The department of revenue shall add one full time equivalent staff year for the 1982 fiscal year only to help conduct a new study of the financial impact of tax exemptions and a review of the effectiveness and problems of the current use law.

(4) That portion of the general fund—state appropriation which is allotted to the inheritance tax division for fiscal year 1983 is reduced by \$125,000 in this 1981 amendatory act in recognition of the passage of Initiative No. 402 and the resultant workload decrease in the inheritance tax division.

(5) \$~~((2,444,000))~~ 2,310,000 of the general fund—state appropriation is provided solely for costs incurred by the excise tax division and the interpretation and appeals division as a result of the expanded effort at revenue recovery and appeals resolution.

(6) The department of revenue shall make every effort to implement the 1982 revisions to this section by making program reductions which will cause minimal loss of state revenues.

Sec. 26. Section 27, chapter 340, Laws of 1981 as amended by section 29, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF TAX APPEALS

General Fund Appropriation	\$	((885,000))
		<u>858,000</u>

Sec. 27. Section 28, chapter 340, Laws of 1981 as amended by section 30, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation—State	\$	((6,505,000))
		<u>6,310,000</u>
General Fund Appropriation—Private/Local	\$	89,000
General Fund—Motor Transport Account Appropria- tion	\$	8,688,000
General Administration Facilities and Services Revolv- ing Fund Appropriation	\$	13,378,000
Total Appropriation	\$	((28,660,000))
		<u>28,465,000</u>

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

(1) The department of general administration shall not expend any of the general fund appropriation for the replacement of motor transport division vehicles.

(2) The department of general administration shall provide insurance coverage for all state-owned, state-chartered, state-rented, or state employee-owned aircraft

being used on authorized state business, including passengers. This coverage shall be in force for all such aircraft whether piloted by a state employee or employees of a charter or rental firm. The department may require reimbursement for premium costs from user agencies on a pro rata basis.

(3) The department of agriculture shall transfer \$21,000 from its local fund accounts to the motor transport account. The state treasurer shall transfer to the motor transport account \$29,000 from the grain and hay inspection fund, \$8,000 from the community college capital projects account, and \$24,000 from the highway safety fund. These transfers shall be in accordance with schedules provided by the office of financial management.

Sec. 28. Section 29, chapter 340, Laws of 1981 as amended by section 31, chapter 14, Laws of 1981-2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE INSURANCE COMMISSIONER

General Fund Appropriation	\$	((7,189,000))
		<u>7,043,000</u>

The appropriation in this section is subject to the following condition or limitation: \$70,000 is provided solely for work associated with the revisions to the valuation and nonforfeiture statutes as contained in chapter ... (Engrossed Substitute Senate Bill No. 4201), Laws of 1982 1st ex. sess.

Sec. 29. Section 30, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premiums tax distribution	\$	4,360,000
General Fund Appropriation for refund of deferred property tax	\$	((33,000))
		<u>123,000</u>
General Fund Appropriation for public utility district excise tax distribution	\$	((12,673,000))
		<u>13,205,000</u>
General Fund Appropriation for prosecuting attorneys' salaries	\$	1,449,000
General Fund Appropriation for motor vehicle excise tax distribution	\$	((56,632,000))
		<u>55,332,000</u>
General Fund Appropriation for local mass transit assistance	\$	((104,279,000))
		<u>98,779,000</u>
General Fund Appropriation for camper and travel trailer excise tax distribution	\$	1,940,000
General Fund Appropriation for local fire protection costs	\$	720,000
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution	\$	728,000
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution	\$	((22,389,000))
		<u>20,357,000</u>
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution	\$	172,480,000
Liquor Revolving Fund Appropriation for liquor profits distribution	\$	((52,775,000))
		<u>53,600,000</u>

State Timber Tax Account 'A' Appropriation for distribution to "Timber" counties	\$	((21,400,000))	
			<u>17,570,000</u>
State Timber Tax Reserve Account Appropriation for distribution to "Timber" counties	\$	((56,000,000))	
			<u>46,870,000</u>
Total Appropriation	\$	((507,858,000))	<u>487,513,000</u>

Sec. 30. Section 33, chapter 340, Laws of 1981 as amended by section 33, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund Appropriation	\$	((897,000))	
			<u>870,000</u>

Sec. 31. Section 36, chapter 340, Laws of 1981 as amended by section 35, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation	\$	((556,000))	
			<u>539,000</u>

The appropriation in this section is subject to the following condition((s and)) or limitation((s)): ((+)) The board of accountancy shall not restrict entrance to CPA examinations as a result of reductions in state funding.

~~((2)) \$20,000 of this appropriation shall not be expended unless, by February 1, 1982, the board of accountancy has increased its CPA examination fees to the maximum level authorized under RCW 18.04.160.))~~

Sec. 32. Section 37, chapter 340, Laws of 1981 as amended by section 36, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE BOXING COMMISSION

General Fund Appropriation	\$	((64,000))	
			<u>62,000</u>

Sec. 33. Section 40, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE LIQUOR CONTROL BOARD

Liquor Revolving Fund Appropriation	\$	((75,823,000))	
			<u>72,032,000</u>

~~((FTE Staff Years—Fiscal Year 1982~~ 1,355.0
~~FTE Staff Years—Fiscal Year 1983~~ 1,354.9))

Sec. 34. Section 41, chapter 340, Laws of 1981 as amended by section 37, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PHARMACY BOARD

General Fund Appropriation	\$	((966,000))	
			<u>937,000</u>

The appropriation in this section is subject to the following condition or limitation: No moneys appropriated in this section may be expended for continuation of the diversion investigation unit.

Sec. 35. Section 44, chapter 340, Laws of 1981 as amended by section 38, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF EMERGENCY SERVICES

General Fund Appropriation—State	\$	((1,005,000))	
			<u>975,000</u>
General Fund Appropriation—Federal	\$		<u>2,227,000</u>
Total Appropriation	\$	((3,232,000))	<u>3,202,000</u>

The appropriations in this section are subject to the following condition or limitation: \$242,000 of the general fund—state appropriation is provided solely to reimburse the federal emergency management agency for the state's share of costs of individual and family grants provided for disaster relief: PROVIDED, That the department of emergency services, in conjunction with the department of social and health services, will reinstate an appeal process to the federal emergency management agency with respect to the \$87,102 in audit exceptions relative to the 1977 floods.

Sec. 36. Section 45, chapter 340, Laws of 1981 as amended by section 39, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

General Fund Appropriation—State.....	\$	((6,330,000))
		6,140,000
General Fund Appropriation—Federal.....	\$	1,764,000
Total Appropriation.....	\$	((8,094,000))
		7,904,000

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

(1) \$279,000 of the general fund—state appropriation is provided solely for the continuation of the educational assistance grant program, of which a maximum of \$10,000 may be expended for administrative costs.

(2) \$32,000 of the general fund—state appropriation is provided solely for the Washington state guard.

(3) The military department shall make every effort to implement the 1982 revisions to this section by reducing programs whose funding does not affect the receipt of federal grants or contracts.

Sec. 37. Section 46, chapter 340, Laws of 1981 as amended by section 40, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund Appropriation.....	\$	((1,173,000))
		1,138,000

NEW SECTION. Sec. 38. There is added to chapter 340, Laws of 1981 a new section to read as follows:

The department of corrections may modify allotments to include transfers between the programs established within the department. The modifications shall not be made without prior approval of the office of financial management in consultation with the committees on ways and means of the senate and house of representatives.

Sec. 39. Section 48, chapter 340, Laws of 1981 as amended by section 42, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

General Fund Appropriation.....	\$	43,419,000
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The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$15,038,000 is provided solely to contract with nonprofit corporations to provide diversionary programs and operate and/or contract for work/training release for convicted felons: PROVIDED, That \$999,000 of this appropriation is provided solely for pre-trial diversion and the continuation of the alternatives to street crime programs in Snohomish, Pierce and Clark counties. Such funds shall be distributed to the counties in a timely manner: PROVIDED FURTHER, That \$375,000 of this appropriation is provided solely for the continuation of 50 work/training release beds at the Progress House Association of Tacoma.

- (b) \$2,479,000 is provided solely for intensive parole.
 (c) \$21,777,000 is provided solely for probation and parole.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation \$ 149,390,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The department of corrections shall present to the legislature by October 12, 1981, a comprehensive institutional educational policy. This report shall explain the basis for selection of educational programs and participation and shall outline program and payment policies for contracting for educational services. The report shall include, but is not limited to, a detailing by month for each institution of the programs, program goals, staffing, costs per offering, and actual and estimated inmate participation.

(b) It is the assumption of the legislature that the appropriation in this subsection initially provides:

(i) \$24,731,000 for the Washington Corrections Center, excluding funds related to court orders under *Hoptowit v. Ray*, No. 79-359 (E. D. Wash.);

(ii) \$38,312,000 for the Washington State Penitentiary, excluding funds relating to court orders under *Hoptowit v. Ray*, No. 79-359 (E. D. Wash.);

(iii) \$1,010,000 for the Monroe mental health unit;

(iv) \$24,990,000 for the Washington State Reformatory;

(v) \$8,269,000 for the Purdy Treatment Center for Women;

(vi) \$20,816,000 for the McNeil Island Penitentiary;

(vii) \$9,090,000 for the Special Offenders Center;

(viii) Funds for other costs associated with honor camps and the Pine Lodge Corrections Center(, and).

(3) PROGRAM SUPPORT

General Fund Appropriation \$ ~~((18,044,000))~~
 14,344,000

General Fund—Institutional Impact Account Approp-
 riation \$ 525,000

Total Appropriation \$ ~~((18,569,000))~~
 14,869,000

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

(a) \$500,000 is provided solely for individual legal services. There shall be no solicitation of legal action and all informal means of resolving disputes shall be utilized. These funds shall not be used to support class action litigation.

(b) \$~~((4,102,000))~~ 2,902,000 is provided solely for costs directly resulting from the decision in *Hoptowit v. Ray*, No. 79-359 (E. D. Wash.): PROVIDED, That no expenditure of funds may be made without the signature of the agency's assistant attorney general on the authorizing document.

(c) \$~~((4,057,000))~~ 1,557,000 for fiscal year 1982 and \$4,902,000 for fiscal year 1983 are provided solely to address population overrun in excess of current bed capacity. Such funds shall be released only with the approval of the director of financial management in consultation with the committees on ways and means of the senate and house of representatives.

(d) \$1,079,000 is provided solely for the one-time cost impact to communities associated with locating additional state correctional facilities.

(4) Funds may be transferred from program support to institutional services for costs associated with *Hoptowit v. Ray*, No. 79-359 (E. D. Wash.), and population overruns to the extent provided for in this section.

(5) The department of corrections shall in conjunction with the office of financial management and the committees on ways and means of the senate and house of representatives develop staff-to-inmate ratios or a system of post assignment for each correctional unit by August 1, 1981. By September 1, 1981, a written report on proposed staffing levels shall be presented to the legislature comparing this staffing to prior biennial levels and discussing its programmatic and fiscal implications.

Sec. 40. Section 50, chapter 340, Laws of 1981 as amended by section 44, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
MENTAL HEALTH PROGRAM**

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	((53,186,000))
		<u>52,911,000</u>
General Fund Appropriation—Federal	\$	((14,821,000))
		<u>14,759,000</u>
General Fund Appropriation—Local	\$	922,000
Total Appropriation	\$	((68,929,000))
		<u>68,592,000</u>

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

(a) ~~\$((49,212,000))~~ 48,948,000 of which ~~\$((34,815,000))~~ 34,613,000 is from the general fund—state appropriation is provided solely for community mental health services. Of this amount, \$1,150,000 of the general fund—state appropriation is provided solely for 90 new residential treatment facility beds: PROVIDED, That Substitute House Bill No. 353 is passed during the 1981 legislative session: PROVIDED FURTHER, That if Substitute House Bill No. 353 should not pass, the funds provided for these beds shall be transferred to the institutional category of the mental health divisions appropriation. These beds are to be phased in according to the following schedule: 30 beds available January 1, 1982; an additional 30 beds available July 1, 1982; and an additional 30 beds available January 1, 1983. The department of social and health services shall contract for these beds at a rate not exceeding \$35.00 per day. These beds shall serve the chronically mentally ill.

(b) ~~\$((19,717,000))~~ 19,644,000 of which ~~\$((18,371,000))~~ 18,298,000 is from the general fund—state appropriation is provided solely for Involuntary Treatment Act costs. Up to \$2,200,000 of the general fund—state appropriation is provided for 60 new evaluation and treatment beds. These beds are for 72-hour and 14-day commitments. All 60 beds shall be available no later than January 1, 1983. The department of social and health services shall contract for these beds at a rate not to exceed \$50.00 per day.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	77,511,000
General Fund Appropriation—Federal	\$	5,085,000
Total Appropriation	\$	82,596,000

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

(a) \$49,931,000, of which \$47,464,000 is from state funds, is provided solely for Western State Hospital.

(b) \$24,410,000, of which \$22,717,000 is from state funds, is provided for Eastern State Hospital.

(c) \$4,856,000, of which \$4,105,000 is from state funds, is provided solely for the PORTAL program at the Northern State facility. The secretary of social and health services shall prepare a report for submittal to the legislature by October 1,

1982, on the feasibility and method for implementing the residential treatment program utilized by PORTAL, in communities around the state.

(d) \$3,399,000, of which \$3,225,000 is from state funds, is provided solely for the child study and treatment center.

(e) Upon completion of the new hospital beds at the state hospitals, the department may, by contract, allow other public agencies to utilize the beds made surplus by the opening of the new facility if those agencies provide the funds to cover the full cost of such operation. The hospital shall account for these patients separately from state-supported patients. The care of these patients shall not be subject to the staff-to-patient ratio required in this act.

(3) SPECIAL PROJECTS

General Fund Appropriation—State	\$	1,410,000
General Fund Appropriation—Federal	\$	320,000
Total Appropriation	\$	1,730,000

The appropriations in this subsection are subject to the following condition or limitation: \$579,000 from the general fund—state appropriation is provided solely for the continuation of the case management projects in Snohomish, King, Pierce, and Clark counties, and such other counties as funds allow: PROVIDED, That each county receiving these funds shall develop a method of funding case management within its 1983-85 grant-in-aid awards.

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$	1,851,000
General Fund Appropriation—Federal	\$	549,000
Total Appropriation	\$	2,400,000

Sec. 41. Section 51, chapter 340, Laws of 1981 as amended by section 45, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES— DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	((47,179,000))
		46,778,000
General Fund Appropriation—Federal	\$	9,434,000
Total Appropriation	\$	((56,613,000))
		56,212,000

The appropriations in this subsection are subject to the following condition ~~((and))~~ or limitation: \$1,000,000 of which \$500,000 is from federal funds is provided solely for the fragile children's program to be implemented during fiscal year 1982: PROVIDED, That a maximum of \$70,000 of these moneys may be expended for start-up costs for group homes: PROVIDED, That up to \$35,000 may be expended to develop a Title XIX waiver plan for community services. If the fragile children's program is not developed by January 1, 1983, then these funds shall revert to the general fund except for those funds expended for group home start-up costs and the Title XIX waiver.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((84,028,000))
		83,528,000
General Fund Appropriation—Federal	\$	49,036,000
Total Appropriation	\$	((133,064,000))
		132,564,000

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

(a) The department of social and health services in conjunction with the superintendent of public instruction and a legislative study committee shall study the services provided by the School for the Deaf and the School for the Blind. The study shall be prepared in consultation with the parents of students enrolled in these schools as well as members of the deaf and blind community. The study shall include the role these schools play in the provision of education to sensory handicapped pupils in the state. The study shall further include an assessment of the advantages and disadvantages of continuing the operation of the schools; changing the operation of the schools; and closing the schools and serving the students through public schools' special programs. The report shall be completed and submitted to the legislature for review by December 30, 1981.

(b) ~~(\$6,781,000 is provided solely for the School for the Deaf, of which \$3,356,000 is for fiscal year 1982 and \$3,424,000 is for fiscal year 1983. \$4,529,000 is provided solely for the School for the Blind, of which \$2,256,000 is for fiscal year 1982 and \$2,273,000 is for fiscal year 1983.~~

(c)) It is the assumption of the legislature that the appropriations in this subsection initially provide:

(i) \$32,544,000 for the Fircrest School to operate at a biennial average daily population of 491;

(ii) \$15,264,000 for the Interlake School to operate at a biennial average daily population of 248;

(iii) \$34,237,000 for the Rainier School to operate at a biennial average daily population of 531;

(iv) \$24,651,000 for Lakeland Village to operate at a biennial average daily population of 359;

(v) \$10,020,000 for the Yakima Valley School to operate at a biennial average daily population of 148;

(vi) \$3,921,000 for the Francis Haddon Morgan Children's Center to operate at a biennial average daily population of 55; and

(vii) \$1,117,000 for the Cerebral Palsy Center to operate at a biennial average daily population of 16.

(3) SPECIAL PROJECTS

General Fund Appropriation—State	\$	984,000
General Fund Appropriation—Federal	\$	2,397,000
Total Appropriation	\$	3,381,000

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$	3,056,000
General Fund Appropriation—Federal	\$	227,000
Total Appropriation	\$	3,283,000

Sec. 42. Section 52, chapter 340, Laws of 1981 as amended by section 46, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
NURSING HOMES PROGRAM

General Fund Appropriation—State	\$	((169,475,000))
		167,275,000
General Fund Appropriation—Federal	\$	((169,527,000))
		167,327,000
Total Appropriation	\$	((339,002,000))
		334,602,000

The appropriations in this section are subject to the following condition or limitation: This appropriation assumes passage of Senate Bill No. 3765 and a two-year delay of implementation of chapter 74.46 RCW.

Sec. 43. Section 53, chapter 340, Laws of 1981 as amended by section 47, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
INCOME MAINTENANCE GRANTS PROGRAM**

General Fund Appropriation—State	\$	(308,220,000)
		308,198,000
General Fund Appropriation—Federal	\$	(319,215,000)
		319,194,000
Total Appropriation	\$	((627,435,000))
		627,392,000

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

(1) \$20,000,000 is provided solely for implementation of the consolidated emergency assistance program to provide specifically directed cash or in-kind benefits to meet the specific emergent need(s) of the applicant. Aid may be provided for up to two months in any consecutive twelve-month period to low-income families with children who are ineligible for other state or federal assistance. It is the intent of the legislature that eligibility requirements shall be stricter than AFDC requirements. The department of social and health services shall immediately apply for waivers under Title XI, section 1115 of the federal social security act to allow federal matching funds to be used for the consolidated emergency assistance program as provided for in this section and in chapter 74.04 RCW (Senate Bill No. 4299).

(2) \$45,282,000 of the general fund—state appropriation is provided solely for income maintenance grants for the general assistance—unemployable program.

(3) The department of social and health services shall immediately evaluate federal proposals which are presently legal options to the states and implement those which are found to be cost-effective. In addition, the department shall seek waivers for any specific federal proposals which are cost-effective and are not now authorized. When waivers are obtained, changes shall be implemented. The department of social and health services shall provide proper notification, in accordance with state and federal laws and regulations, of any changes that are implemented. Furthermore, the department of social and health services shall draft rules to implement enacted changes to Title IV-A of the federal social security act prior to the issuance of federal regulations in order to avoid overexpenditure of state funds.

(4) The department of social and health services shall submit a report no later than November 2, 1981, to the committees on ways and means, social and health services, and human services of the senate and house of representatives detailing the implementation schedule and fiscal and program impact of these changes.

(5) It is the assumption of the legislature that the appropriations in this section initially provide:

(a) \$44,220,000 from federal funds for energy assistance;

(b) \$61,220,000 from federal funds for Indochinese refugees;

(c) \$20,000,000 from the state general fund for the consolidated emergency assistance program;

(d) \$453,334,000 (including \$219,086,000 from the state general fund) for aid to families with dependent children, with a caseload assumption for fiscal year 1982 of 59,890 cases and a caseload assumption for fiscal year 1983 of 61,797 cases;

(e) \$31,103,000 from the state general fund for the supplemental security income state supplement;

(f) \$53,428,000 from the state general fund for general assistance, with a caseload assumption for fiscal year 1982 of 9,075 cases and a caseload assumption for fiscal year 1983 of 9,692 cases;

(g) \$2,034,000 from the state general fund for supplemental security income—additional requirements;

(h) \$2,116,000 from the state general fund for burial assistance;

(i) \$2,361,000 (including \$1,475,000 from the state general fund) for employment and training day-care; and

(j) \$2,468,000 (including \$247,000 from the state general fund) for work incentive payments.

(6) Any savings resulting from income maintenance caseload levels being lower than the departmental estimated caseloads as of February 9, 1982, and which are in excess of those savings assumed for grant adjustments, shall lapse at the end of each calendar quarter.

Sec. 44. Section 54, chapter 340, Laws of 1981 as amended by section 48, chapter 14, Laws of 1981 2nd ex. sess. (unmodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
COMMUNITY SOCIAL SERVICES GRANTS PROGRAM

General Fund Appropriation—State	\$	((135,974,000))
		131,151,000
General Fund Appropriation—Federal	\$	((61,049,000))
		60,976,000
General Fund Appropriation—Local	\$	105,000
Total Appropriation	\$	((197,128,000))
		192,232,000

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

(1) ~~\$(45,868,000))~~ 41,511,000 of which \$16,044,000 is from federal funds is provided solely for the provision of chore services to persons at risk of institutionalization who meet the eligibility criteria in RCW ~~((74-08-540))~~ 74.08.541, and for the support of programs utilizing volunteers to provide chore services. ~~((Of that amount, \$28,568,000 is provided for))~~ Out of these moneys, a limited chore service program shall be provided in which services are provided solely on an hourly basis, with a monthly lid on chore service hours which may be authorized. ~~(\$12,800,000 is provided for))~~ Also out of these moneys, chore services shall be provided to clients in need of attendant care whose services are authorized on a monthly rate basis. The department of social and health services shall immediately seek waivers which allow the use of Title XX funds in a lidded program. ~~(\$1,698,000 is provided solely for the provision of))~~ Within available funds, the department of social and health services shall ensure that the portion of chore services provided in accordance with RCW 74.08.541 is sufficient to ensure that the client's remaining income after purchasing his or her share of chore services is not less than 30% of the state median income adjusted for family size. Chore services may additionally be provided out of these moneys on a case-by-case exception-to-policy basis to severely handicapped persons in need of attendant care whose income exceeds 30% of the state median income but does not exceed 57% of the state median income. Services may be provided under this subsection only to the extent necessary to allow the individual to remain in his or her own home, and no services may be authorized for more than ninety days at any one time.

~~((3))~~ (2) ~~\$(1,226,000))~~ 1,201,000 of the general fund—state appropriation is provided solely for long-term alcoholism beds.

~~((4))~~ (3) ~~\$(14,330,000))~~ 13,840,000 of the general fund—state appropriation is provided solely for implementation of the senior citizens services act. At least 7.0% of these funds shall be used to develop and implement programs which utilize volunteer workers for the provision of chore services to persons whose need for chore services is not being met by the state chore service program.

((5)) (4) \$1,148,000 of the general fund—state appropriation is provided solely for the victims of domestic violence program.

((6)) (5) ~~\$(1,335,000)~~ 833,000 of the general fund—state appropriation, or so much thereof as may be necessary, is provided solely for the migrant day-care program.

((7)) (6) \$40,000 of the general fund—state appropriation in this subsection is provided solely to complete the child abuse demonstration project directed by RCW 74.13.200.

((8)) (7) \$600,000 is provided solely for a cost-shared day care program which serves low-income employed parents throughout the remainder of the biennium within the funds provided in this subsection.

(8) It is the assumption of the legislature that the appropriations in this section initially provide:

(a) \$15,851,000 (including \$11,559,000 from the state general fund) for alcoholism grants;

(b) \$5,475,000 (including \$4,590,000 from the state general fund) for detoxification;

(c) \$9,558,000 (including \$3,545,000 from the state general fund) for substance abuse grants;

(d) \$2,500,000 from federal funds for Indochinese refugees;

(e) \$17,642,000 from federal funds for aging services under Title III of the federal older Americans act;

(f) \$14,960,000 from the state general fund for the senior citizens services act;

(g) \$4,482,000 (including \$2,275,000 from the state general fund) for crisis residential centers;

(h) \$28,887,000 from the state general fund for congregate care facilities;

(i) \$45,072,000 (including \$38,120,000 from the state general fund) for foster care payments, with a caseload assumption of 5,433 for fiscal year 1982 and a caseload assumption of 5,327 for fiscal year 1983;

(j) \$8,931,000 (including \$1,758,000 from the state general fund) for child care payments;

(k) \$4,816,000 (including \$4,372,000 from the state general fund) for adoption support;

(l) \$43,698,000 (including \$24,132,000 from the state general fund) for chore services;

(m) \$1,148,000 from the state general fund for victims of domestic violence;

(n) \$831,000 (including \$150,000 from the state general fund) for adult day care;

(o) \$2,537,000 (including \$634,000 from the state general fund) for crisis intervention services;

(p) \$1,200,000 from the state general fund for adult family homes; and

(q) \$144,000 from the state general fund for nursing home discharge allowances.

Sec. 45. Section 55, chapter 340, Laws of 1981 as amended by section 49, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
MEDICAL ASSISTANCE GRANTS PROGRAM**

General Fund Appropriation—State	\$	((246,389,000))
		253,219,000
General Fund Appropriation—Federal	\$	((212,923,000))
		212,081,000
Total Appropriation	\$	((459,312,000))
		<u>465,300,000</u>

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

(1) \$43,999,000 of the general fund—state appropriation is provided solely for the medical care of individuals not eligible for categorical assistance. Eligibility standards and scope of service shall be determined by the department of social and health services.

(2) \$34,146,000 of the general fund—state appropriation is provided solely for the medical component of the general assistance—unemployable program.

(3) The legislature supports efforts to maximize the cost benefits of pre-paid risk-sharing contracts in the provision of medical services through health maintenance organizations (HMOs) and individual practice associations (IPAs). The department is directed to seek increased participation of recipients enrolled in these programs. The legislature further supports the use of a hospital reimbursement system based on prospectively established rates. The department shall cooperate with the hospital commission in determining the possible savings to the state of using such a system.

(4) The department of social and health services shall establish by rule a system to insure that these funds are not expended to cover persons who are already covered by private or public programs.

(5) \$7,700,000 of the general fund—state appropriation is provided solely to lower the deductible for medically indigent persons from \$1,500 per year to \$500 per year, effective April 1, 1982.

Sec. 46. Section 57, chapter 340, Laws of 1981 as amended by section 51, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
VOCATIONAL REHABILITATION PROGRAM**

General Fund Appropriation—State	\$	(16,154,000)
		15,666,000
General Fund Appropriation—Federal	\$	27,468,000
Total Appropriation	\$	(43,622,000)
		43,134,000

Sec. 47. Section 58, chapter 340, Laws of 1981 as amended by section 52, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

General Fund Appropriation—State	\$	(63,017,000)
		56,017,000
General Fund Appropriation—Federal	\$	44,191,000
General Fund—Institutional Impact Account Approp- riation	\$	75,000
Total Appropriation	\$	(107,283,000)
		100,283,000

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

(1) \$3,187,000 of the general fund—state appropriation is provided solely for the integrated systems development project. This project shall include among its top priorities the development of a method for the identification of common client information and the tracking of clients through all human service programs provided by the department of social and and health services. This project is subject to the following conditions:

(a) By October 1, 1982, the department of social and health services shall make reports available to the legislature that analyze client, service delivery, and service cost data across systems containing common client identifier information, including

but not limited to Social Service Payment Systems, Medicaid Management Information Systems, and the Interactive Terminal Input Systems/Client Financial Systems.

(b) \$686,000 of this sum shall be used to: (i) Establish a centralized data administration function; (ii) enhance and establish centralized data security and privacy controls; and (iii) implement a comprehensive data system methodology. By October 1, 1982, the department shall submit a report to the legislature that includes: (i) Plans for including each client, service cost, and service delivery information system in the department's data dictionary; (ii) an approach for unique identifications of individual service recipients, service recipient households, and service recipient families, and for the incorporation of such in each client, service cost, and service delivery information system; and (iii) plans for extracting data from those systems which include unduplicated recipient counts and service histories.

(c) These systems shall meet the following criteria: (i) Contain client, service cost, service delivery, or financial data; and (ii) lend themselves to rapid, flexible, and efficient data extraction and report generation. Those systems containing client information should include unique identifiers of individual recipients, recipient families, and recipient households with confidentiality of patient information and records as provided by state and federal law.

(d) A high priority of projects funded with this appropriation is the mental health information system for institutions and community mental health. This project shall be developed and completed during the 1981-83 biennium.

(2) In addition to any other reporting requirements, the department of social and health services shall report in writing to the committees on ways and means of the senate and house of representatives not later than January 15, 1982, and January 14, 1983, on actions taken to implement the conditions and limitations provided in sections 47 through 60 of this act and on the funds expended in support of each condition or limitation. If a department of corrections is created, it shall provide any reports required under this subsection for the conditions and limitations established in sections 47 and 48 of this act.

(3) The department of social and health services shall perform ongoing random samplings of those individuals affected by the elimination and/or reduction of public assistance programs and chore services as required by this budget. This study shall include the detailing of the following impacts: (a) The extent to which individuals are institutionalized as the result of loss of assistance or service; (b) the number of individuals who were able to find assistance from private sources to meet basic needs; (c) the number of individuals who became enrolled in another state or locally funded program: PROVIDED, That the department shall make regular reports to the legislature detailing the progress of the projects done under the authority of this section.

(4) The secretary of social and health services may transfer up to seven million dollars of general fund—state appropriations into this program from sections 49, 50, 51, 52, 53, 54, 55, 56, 57, and 59 of chapter 340, Laws of 1981, as amended, as savings occur in those programs.

Sec. 48. Section 59, chapter 340, Laws of 1981 as amended by section 53, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
COMMUNITY SERVICES ADMINISTRATION PROGRAM

General Fund Appropriation—State	\$	((102,651,000))
		100,661,000
General Fund Appropriation—Federal	\$	((127,224,000))
		126,524,000
General Fund Appropriation—Local	\$	48,000
Total Appropriation	\$	((229,923,000))

227,233,000

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

(1) The department of social and health services shall monitor and determine the net reduction in income maintenance and medical costs as a result of the employment and training program.

(2) The department of social and health services in conjunction with the employment security department shall seek federal funding to support the placement incentive demonstration project.

(3) The department of social and health service in conjunction with the employment security department shall monitor and determine the net reduction in income maintenance and medical costs as a result of the placement incentive demonstration project.

(4) \$350,000 is provided solely for the sexual assault victims program.

(5) The department shall provide necessary assistance in each community service office to ensure that applicants or recipients of general assistance who may qualify for supplemental security income make prompt application for and actively pursue qualification for the supplemental security income program.

NEW SECTION. Sec. 49. There is added to chapter 340, Laws of 1981 a new section to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
SERVICES FOR THE BLIND**

General Fund Appropriation—State	\$	2,094,000
General Fund Appropriation—Federal	\$	5,254,000
Total Appropriation	\$	7,348,000

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

(1) The appropriations are provided solely for the purpose of providing services previously provided by the commission for the blind under chapter 74.16 RCW.

(2) The secretary of social and health services shall ensure that the appropriations are expended through the existing structure of the department.

Sec. 50. Section 61, chapter 340, Laws of 1981 as amended by section 54, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

General Fund Appropriation—State	\$	((14,727,000))
		14,285,000
General Fund Appropriation—Local	\$	2,496,000
Total Appropriation	\$	((17,223,000))
		16,781,000

Sec. 51. Section 62, chapter 340, Laws of 1981 as amended by section 55, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY

General Fund Appropriation—State	\$	((4,226,000))
		4,206,000
General Fund Appropriation—Federal	\$	28,152,000
Total Appropriation	\$	((32,378,000))
		32,358,000

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

(1) \$40,000 of the general fund—state appropriation is provided solely for City Fair—Seattle.

(2) In anticipation of significant reductions in federal support, the agency shall prepare a contingency expenditure plan which adjusts the allotments to reflect the

anticipated loss of federal funds and required state matching funds. This contingency plan shall include necessary program changes and a redefinition of services. As a result of any loss of federal funds, subsequent state matching funds shall be placed in reserve. The contingency plan shall be transmitted to the legislature upon completion.

(3) A maximum of \$1,132,000 of the general fund—state appropriation is provided ((solely)) for the Mt. St. Helens Zone Enforcement/Assistance Project to expedite a coordinated three-county response to an emergency generated by tourist and public response to Mt. St. Helens volcano activity and/or disaster.

(4) \$107,000 of the general fund—state appropriation is provided solely for additional state support to continue the federally funded Section 8 low-income housing program.

Sec. 52. Section 63, chapter 340, Laws of 1981 as amended by section 56, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE HUMAN RIGHTS COMMISSION

General Fund Appropriation—State	\$	((2,488,000))
		<u>2,413,000</u>
General Fund Appropriation—Federal	\$	517,000
Total Appropriation	\$	((3,005,000))
		<u>2,930,000</u>

Sec. 53. Section 66, chapter 340, Laws of 1981 as amended by section 57, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation—State	\$	((5,862,000))
		<u>7,684,000</u>
General Fund—Crime Victims' Compensation		
Account Appropriation	\$	160,000
Accident Fund Appropriation—State	\$	39,401,000
Accident Fund Appropriation—Federal	\$	366,000
Electrical License Fund	\$	7,381,000
Medical Aid Fund Appropriation	\$	33,619,000
Plumbing Certificate Fund	\$	283,000
Pressure Systems Safety Fund	\$	827,000
Total Appropriation	\$	((87,899,000))
		<u>89,721,000</u>

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

(1) General fund expenditures for the building and construction program together with associated indirect cost and salary increase costs shall not exceed general fund revenue from the building and construction program.

(2) \$1,094,000 of the general fund—state appropriation is provided solely for the fiscal year 1982 employment standards and apprenticeship programs. Fiscal year 1983 funding shall be determined on the basis of a legislative budget committee review of the employment standards program within the criteria established in chapter 43.131 RCW and complete a report prior to December 15, 1981. Fiscal year 1983 funding of the apprenticeship program shall be determined on the basis of a legislative study to be completed by January 15, 1982.

(3) ~~\$(632,000))~~ 2,630,000 of the general fund—state appropriation is provided solely for victims of crime ~~((pension))~~ benefit payments.

Sec. 54. Section 67, chapter 340, Laws of 1981 as amended by section 58, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF PRISON TERMS AND PAROLES

General Fund Appropriation	\$	((2,198,000))
		<u>2,223,000</u>

Sec. 55. Section 68, chapter 340, Laws of 1981 as amended by section 59, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE HOSPITAL COMMISSION

General Fund Appropriation—State	\$	((489,000))
		474,000
General Fund Appropriation—Federal	\$	128,000
General Fund—Hospital Commission Account		
Appropriation	\$	915,000
Total Appropriation	\$	((1,532,000))
		1,517,000

The appropriations in this section are subject to the following condition or limitation: The hospital commission shall further review the benefits and possible savings to the state of utilizing a reimbursement system based on prospectively established hospital rates.

Sec. 56. Section 69, chapter 340, Laws of 1981 as amended by section 60, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation—State	\$	((2,050,000))
		1,988,000
General Fund Appropriation—Federal	\$	158,908,000
General Fund Appropriation—Local	\$	23,571,000
Administrative Contingency Fund Appropriation—		
Federal	\$	2,231,000
Unemployment Compensation Administration Fund		
Appropriation	\$	93,132,000
Total Appropriation	\$	((279,892,000))
		279,830,000

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

(1) \$729,000 of the general fund—state appropriation is provided solely for work orientation of ex-offenders.

(2) \$300,000 of the general fund—state appropriation is provided solely for a placement incentive demonstration project to serve AFDC-R recipients who have been on assistance for three consecutive years or more and have been determined to have the most severe barriers to employment.

The goal of this program is to establish a demonstration program that will use performance-based contracts to achieve full-time job placement and ensure long-term job retention. Not more than \$1,000 may be spent per participant and the payment schedule shall be structured to ensure incentive is built-in with twelve-month job retention for a minimum of 50% of the participants. The results of this program will be analyzed and evaluated and a written report will be submitted to the legislature by January, 1983. The report shall also contain comparative analysis of other similar employment and training programs including the employment and training program of the department of social and health services. The employment security department shall cooperate with the department of social and health services in seeking federal funds for this program and in monitoring savings in income maintenance and medical assistance as a result.

Job services employees and job services related activities which are federally funded are not subject to the reductions provided in this 1982 amendatory act.

NEW SECTION. Sec. 57. THE COMMISSION FOR THE BLIND. Section 70, chapter 340, Laws of 1981, section 61, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is hereby repealed.

Sec. 58. Section 71, chapter 340, Laws of 1981 as amended by section 62, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE JAIL COMMISSION

General Fund Appropriation	\$	((350,000))
		<u>339,000</u>
General Fund—Local Jail Improvement and Construction Account Appropriation	\$	511,000
Total Appropriation	\$	((861,000))
		<u>850,000</u>

Sec. 59. Section 72, chapter 340, Laws of 1981 as amended by section 63, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE ENERGY OFFICE

General Fund Appropriation—State	\$	((1,105,000))
		<u>1,005,000</u>
General Fund Appropriation—Federal	\$	4,641,000
Total Appropriation	\$	((5,746,000))
		<u>5,646,000</u>

Sec. 60. Section 73, chapter 340, Laws of 1981 as amended by section 64, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund Appropriation	\$	((68,000))
		<u>66,000</u>

Sec. 61. Section 74, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State	\$	((20,093,000))
		<u>17,515,000</u>
General Fund Appropriation—Federal	\$	14,380,000
General Fund—Special Grass Seed Burning Research Account Appropriation	\$	35,000
General Fund—Reclamation Revolving Account Appropriation	\$	580,000
General Fund—Litter Control Account Appropriation	\$	4,110,000
Stream Gaging Basic Data Fund Appropriation	\$	200,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26)	\$	54,315,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Reappropriation (Referendum 26)	\$	61,797,000
General Fund—Water Pollution Control Facilities Account Appropriation	\$	50,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27)	\$	7,284,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation (Referendum 27)	\$	4,700,000
General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.	\$	7,358,000
General Fund—Emergency Water Project Revolving Account: Reappropriation	\$	6,500,000

General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38).....	\$	18,095,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39)	\$	84,780,000
Total Reappropriation	\$	72,997,000
Total New Appropriation.....	\$	((211,280,000))
		208,702,000
Total Appropriation	\$	((284,277,000))
		281,699,000
((FTE Staff Years—Fiscal Year 1982.....		509.5
FTE Staff Years—Fiscal Year 1983.....		512.1))

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

(1) On or before October 1, 1981, the department of ecology shall file with the committees on ways and means of the senate and house of representatives a master compilation by project type of those projects proposed for funding during the 1981–83 biennium from the appropriations for waste disposal facilities and water supply facilities. A separate compilation shall be supplied for each referendum bond issue. The department shall submit updates for the master compilation to the committees on ways and means at six-month intervals during the 1981–83 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering the projects. If the department proposes to change or modify any project list on the master compilation, it shall give the committees on ways and means thirty days' written notice of the change or modification prior to the expenditure or obligation of any funds appropriated by this section. The department shall immediately inform the committees of significant changes from historic federal funding levels for waste disposal facilities and water supply facilities.

(2) The appropriation from the state and local improvements revolving account—water supply facilities (Referendum 27) may be expended to pay up to 50% of the eligible cost of any project, as a grant or loan or combination thereof. Also, the department may lend up to 100% of the eligible costs of preconstruction activities and the department may provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(3) The appropriation from the state and local improvements revolving account—waste disposal facilities (Referendum 26) may be expended by the department to pay for up to 50% of the eligible cost of any project, as a grant or up to 100% as a loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(4) The appropriation from the state and local improvements revolving account—waste disposal facilities 1980 (Referendum 39) may be expended by the department to pay up to 75% of the eligible cost of any project as a grant or up to 100% as a loan, or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(5) \$130,000 of the general fund—state appropriation is provided solely to augment current department planned expenditures for the assessment of sources of,

and abatement programs for, toxic substances in Commencement Bay and its waterways. Of that amount:

(a) \$90,000 is for field and laboratory studies and activities needed for determining the source or sources of toxic substances in Commencement Bay and its waterways; and

(b) \$40,000 is for collecting and analyzing samples of sediments from any deep water portions of Commencement Bay that have been utilized for waste disposal sites, for the purpose of identifying the nature and extent of the wastes deposited.

(6) \$1,306,000 of the general fund—state appropriation is provided solely for the vehicle emission inspection program.

Sec. 62. Section 75, chapter 340, Laws of 1981 as amended by section 66, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE ENVIRONMENTAL HEARINGS OFFICE

General Fund Appropriation	\$	((591,000))
		<u>573,000</u>

Sec. 63. Section 77, chapter 340, Laws of 1981 as amended by section 67, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund Appropriation—State	\$	((25,019,000))
		<u>24,349,000</u>

General Fund Appropriation—Federal	\$	185,000
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General Fund Appropriation—Private/Local	\$	467,000
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General Fund—Trust Land Purchase Account Appropriation	\$	((5,498,000))
		<u>5,573,000</u>

General Fund—Winter Recreation Parking Account Appropriation	\$	64,000
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General Fund—Outdoor Recreation Account Approp- riation	\$	81,000
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General Fund—Snowmobile Account Appropriation	\$	555,000
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Motor Vehicle Fund Appropriation	\$	600,000
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Total Appropriation	\$	((32,469,000))
		<u>31,874,000</u>

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

(1) A maximum of \$140,000 may be expended for continuation of contractual agreements with Grays Harbor and Pacific counties for beach patrol and law enforcement on North Beach, South Beach, and Long Beach.

(2) \$104,000 is provided solely for a manual campsite reservation system.

(3) A maximum of \$193,000 may be expended for a lifeguard program.

(4) A maximum of \$80,000 may be expended for the operation of the Goldendale Observatory.

(5) No moneys appropriated in this section may be expended for an agreement with the department of transportation for maintenance of the restroom at Snoqualmie Pass.

(6) \$700,000 may be expended for facility maintenance.

(7) \$162,000 may be expended for law enforcement, including an agreement with the Washington state patrol.

(8) \$75,000 is provided solely to determine the potential long-range alternative uses of the St. Edwards facility. The study shall include all potential uses, including but not limited to recreation. The results of the study shall be reported to the legislature not later than December 1, 1981.

(9) \$36,000 of this general fund—state appropriation is provided solely to provide minimal heat, air circulation, water and maintenance necessary to prevent the deterioration of the St. Edwards facility.

(10) \$15,000 may be expended to implement the recommendations of the Mt. St. Helens recreation and tourism task group for the operation of Sequest state park tourist information center and various viewpoints and sanitary facilities.

(11) \$75,000 is provided solely for the implementation of a boat moorage fee program at selected state parks to be determined by the state parks and recreation commission.

Sec. 64. Section 78, chapter 340, Laws of 1981 as amended by section 68, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund Appropriation—State	\$	(309,000)
		288,000
General Fund Appropriation—Federal	\$	205,000
Total Appropriation	\$	(514,000)
		493,000

Sec. 65. Section 80, chapter 340, Laws of 1981 as amended by section 69, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

General Fund Appropriation—State	\$	(8,190,000)
		8,095,000
General Fund Appropriation—Federal	\$	391,000
Motor Vehicle Fund Appropriation	\$	395,000
Total Appropriation	\$	(8,976,000)
		8,881,000

Sec. 66. Section 81, chapter 340, Laws of 1981 as amended by section 70, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

General Fund Appropriation—State	\$	(34,672,000)
		33,632,000
General Fund Appropriation—Federal	\$	5,777,000
General Fund Appropriation—Private/Local	\$	1,873,000
General Fund—Lewis River Hatchery Account		
Appropriation	\$	27,000
Total Appropriation	\$	(42,349,000)
		41,309,000

The appropriations in this section are subject to the following condition or limitation: \$211,000 of the general fund—state appropriation is provided solely for bait fish and ling cod enhancement efforts.

Sec. 67. Section 83, chapter 340, Laws of 1981 as amended by section 71, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation—State	\$	(21,418,000)
		20,775,000
General Fund Appropriation—Federal	\$	1,354,000
General Fund—ORV (Off-Road Vehicle) Account		
Appropriation	\$	1,711,000
General Fund—Forest Development Account Approp-		
riation	\$	16,669,000
General Fund—State Timber Tax Reserve Account		
Appropriation	\$	414,000

General Fund—Landowner Contingency Forest Fire		
Suppression Account Appropriation	\$	1,878,000
General Fund—Resource Management Cost Account		
Appropriation	\$	49,977,000
Total Appropriation	\$	((93,421,000))
		<u>92,778,000</u>

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

(1) \$1,782,000 of the general fund—state appropriation is provided solely for emergency fire suppression. The funds shall also be available for interfund loans with the landowner contingency forest fire suppression account.

(2) A maximum of \$1,997,000 of the state general fund appropriation shall be expended for the operation of the Clearwater, Olympic, Larch Mountain, Indian Ridge, Cedar Creek, Maple Lane, Naselle, and Mission Creek Honor Camps.

(3) Up to \$13,000,000 of the resource management cost account appropriation may be substituted by additional forest development account funds in excess of the appropriation. Any funds so replaced shall not be expended for any purpose.

(4) ~~((A maximum of \$1,832,000 of the general fund—state appropriation may be expended for the geology and earth resources program.~~

(5)) \$40,000 of the resource management cost account appropriation is provided solely for lake management.

~~((6))~~ (5) The department of natural resources shall provide a report on the urban lands program to the committees on ways and means of the house of representatives and the senate by December 1, 1981. The report shall include an inventory of urban lands, a management plan for each urban parcel, involvement in land use planning, and any other information necessary for policy determination.

Sec. 68. Section 84, chapter 340, Laws of 1981 as amended by section 72, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation—State	\$	((8,475,000))
		<u>8,221,000</u>
General Fund Appropriation—Federal	\$	777,000
General Fund—Feed and Fertilizer Account Approp-		
riation	\$	29,000
Fertilizer, Agricultural, Mineral and Lime Fund Approp-		
riation	\$	358,000
Commercial Feed Fund Appropriation—State	\$	311,000
Commercial Feed Fund Appropriation—Federal	\$	22,000
Seed Fund Appropriation	\$	913,000
Nursery Inspection Fund Appropriation	\$	270,000
Grain and Hay Inspection Fund Appropriation	\$	17,278,000
Total Appropriation	\$	((28,433,000))
		<u>28,179,000</u>

The appropriations in this section are subject to the following condition (~~and~~) or limitation: A maximum of \$13,000 of the general fund—state appropriation shall be expended for starling control.

Sec. 69. Section 85, chapter 340, Laws of 1981 as amended by section 73, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund Appropriation	\$	((9,412,000))
		<u>9,130,000</u>
General Fund—Architects' License Account Approp-		
riation	\$	173,000
General Fund—Opticians' Account Appropriation	\$	33,000

General Fund—Optometry Account Appropriation	\$	81,000
General Fund—Professional Engineers' Account Appropriation	\$	478,000
General Fund—Real Estate Commission Account Appropriation	\$	3,444,000
General Fund—Board of Psychological Examiners Account Appropriation	\$	42,000
Game Fund Appropriation	\$	148,000
Highway Safety Fund Appropriation	\$	33,286,000
Motor Vehicle Fund Appropriation	\$	27,399,000
Total Appropriation	\$	((74,496,000)) <u>74,214,000</u>

Sec. 70. Section 5, chapter 289, Laws of 1981 (uncodified) is amended to read as follows:

There is appropriated to the environmental policy commission from the general fund for the biennium ending June 30, 1983, the sum of (~~fifty~~) forty-two thousand dollars, to carry out the purposes of this act.

Sec. 71. Section 86, chapter 340, Laws of 1981 as amended by section 74, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)

General Fund Appropriation—State	\$	((12,314,000)) <u>11,945,000</u>
General Fund Appropriation—Federal	\$	5,981,000
General Fund—Traffic Safety Education Account Appropriation	\$	460,000
Total Appropriation	\$	((18,755,000)) <u>18,386,000</u>

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

- (1) A maximum of \$460,000 may be expended for the state office administration of the traffic safety education program.
- (2) The superintendent shall ensure that data reported by school districts for reimbursement and state budget planning purposes is accurate and timely.
- (3) The Superintendent of Public Instruction shall not reduce the scoliosis screening program established under RCW 28A.31.132 through 28A.31.142 below the level established under chapter 340, Laws of 1981 as enacted during the 1981 regular session of the Legislature.

Sec. 72. Section 87, chapter 340, Laws of 1981 as amended by section 75, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION FORMULA FOR FISCAL YEARS 1982 AND 1983

General Fund Appropriation	\$	((2,583,966,000)) <u>2,584,868,000</u>
General Fund—State Timber Tax Reserve Account	\$	4,000,000
Total Appropriation	\$	((2,587,966,000)) <u>2,588,868,000</u>

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

- (1) For purposes of this act and compliance with chapter 16, Laws of 1981, the superintendent of public instruction shall ensure that no district provides salary and compensation increases from any fund source whatsoever in excess of those amounts for insurance benefit increases and/or for those percentages for salary increases as specified in this act and LEAP Document 4: PROVIDED, That for the 1981-82

school year, if a school district is in violation of chapter 16, Laws of 1981, or chapter 340, Laws of 1981, as now or hereafter amended, the superintendent shall withhold the lesser of five percent or an amount equal to the level of violation when applied to the district's respective basic education allocation, until such time as the school district comes into compliance: PROVIDED FURTHER, That for the 1982-83 school year, the superintendent shall withhold five percent of a district's respective basic education allocation if the school district violates any provision of this act or chapter 16, Laws of 1981 until such time as a school district comes into compliance: PROVIDED FURTHER, That provisions of any contract in force as of the effective date of chapter 16, Laws of 1981, for school years 1981-82 and 1982-83 that conflict with the provisions of this act may continue in effect and no funds shall be withheld as a result of such contracts: PROVIDED FURTHER, That provisions of a contract in compliance with chapter 16, Laws of 1981, and chapter 340, Laws of 1981, entered into prior ((to November —, 1981,)) to the effective date of this 1982 act, for the 1982-83 school year that conflicts with provisions of this ((1981)) 1982 amendatory act may continue in effect and no funds shall be withheld as a result of such contracts.

(2)(a) The appropriations in this section and allocation authorized by sections 87 through 91 of this act per annual average full time equivalent student shall constitute 100% of formula as provided in RCW 28A.41.130 as now or hereafter amended.

(b) If the system-wide staff mix factor exceeds 1.6182, the superintendent of public instruction shall make such adjustments as are required to remain within the amounts generated by the staff mix assumption for the total appropriation.

(3) Formula allocation of certificated staff units shall be determined as follows:

(a) One certificated staff unit for each average annual twenty full time equivalent kindergarten, elementary, and secondary students, excluding secondary vocational full time equivalent students enrolled in a vocational program approved by the superintendent of public instruction.

(b) One certificated staff unit for each average annual eighteen and three-tenths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction.

(c) For districts enrolling not more than one hundred average annual full time equivalent students (except as otherwise specified) and for small school plants within any school district, which small plants have been judged to be remote and necessary by the state board of education, certificated staff units shall be determined as follows:

(i) For grades K-6, for enrollments of not more than sixty annual average full time equivalent students, three certificated staff units;

(ii) For grades K-6, for enrollments above sixty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(iii) For grades 7 and 8, for enrollments of not more than twenty annual average full time equivalent students, one certificated staff unit;

(iv) For grades 7 and 8, for enrollment above twenty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(v) For each nonhigh school district having an enrollment of more than seventy annual average full time equivalent students and less than one hundred eighty students, operating a K-8 program or 1-8 program, an additional one-half of a certificated staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW;

(vi) For each nonhigh school district having an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, operating a K-6 or 1-6 program, an additional one-half of a certificated staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(d) For districts operating high schools with enrollments of not more than three hundred average annual full time equivalent students, certificated staff units shall be determined as follows:

(i) Nine and one-half certificated staff units for the first sixty annual average full time equivalent students;

(ii) Additional certificated staff units based upon a ratio of one certificated staff unit per forty-three and one-half average annual full time equivalent students.

(4)(a) For nonemployee related costs with each certificated staff unit determined under subsection (3) (a), (c), and (d) of this section, there shall be provided a maximum of \$4,572 per staff unit in the 1981-82 school year and a maximum of \$4,966 per staff unit in the 1982-83 school year.

(b) For nonemployee related costs with each certificated staff unit determined under subsection (3)(b) of this section, there shall be provided a maximum of \$8,000 per staff unit in the 1981-82 school year and a maximum of \$8,641 per staff unit in the 1982-83 school year.

(5) Formula allocation of classified staff units shall be determined as follows:

(a) One classified staff unit per each three certificated staff units determined under subsection (3) (a), (c), and (d) of this section;

(b) One classified staff unit for each sixty full time equivalent vocational students enrolled; and

(c) For each nonhigh school district with an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(6) The superintendent of public instruction shall distribute a maximum of \$565,000 outside of the basic education allocation to school districts for fire protection districts at a rate of \$1.00 per year for each student attending a school located in an unincorporated area within a fire protection district as mandated by RCW 52.36.020; a maximum of \$280,000 for the 1981-82 school year, and a maximum of \$285,000 for the 1982-83 school year.

(7) The general fund—state appropriation contained in this section includes all funds received by the state pursuant to Title 16, section 500, United States Code (federal forest funds) which are distributed to the general fund for the benefit of public schools in accordance with RCW 36.33.110. Within thirty days of receipt within the state treasury, the superintendent of public instruction shall distribute such federal forest funds to each eligible school district in an amount not to exceed that which the district would have received in accordance with the basic education apportionment for the previous year. Funds determined to be in excess of that amount shall be distributed to the county for distribution to the school districts within the county in accordance with RCW 36.33.110: PROVIDED, That if the amount received by any district pursuant to this appropriation is less than the basic education allocation which the district would otherwise receive, the superintendent of public instruction shall allocate from basic education funds to the district an amount equal to the difference between the amount received under this appropriation and the amount the district would otherwise receive under the basic education act.

(8) The superintendent of public instruction may distribute a maximum of \$250,000 for school district emergencies outside of the basic education allocation.

(9) Not more than \$4,518,000 of the appropriation contained in this section shall be expended for districts which experience an enrollment decline in the 1981-82 school year from the 1980-81 base enrollment level and in the 1982-83 school year from the 1981-82 base enrollment level. The superintendent of public instruction shall distribute funds based on certificated staff units in the 1981-82 and 1982-83 school years to such districts on the basis of current school year enrollment plus one quarter of the amount of the enrollment decline from the prior school year level. The superintendent of public instruction, in ascertaining the full time equivalent enrollment under this section for any school district declining in enrollment at a rate of at least four percent, or three hundred full time equivalent students, whichever is less, from the immediately preceding school year, shall increase the enrollment as otherwise herein computed by twenty-five percent of the full time equivalent pupil enrollment loss from the previous school year.

(10) No cash balances or cash reserves of any school district may be confiscated by the state nor used as a local revenue deduction when apportionment funds from this section are distributed to school districts.

(11) The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of this 1982 act.

Sec. 73. Section 88, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

SALARY AND COMPENSATION DEFINITIONS

For purposes of sections 87 through 104 of this act, the following definitions apply:

(1) "LEAP Document 2" means the computer tabulation of 1980-81 derived base salaries for basic education certificated staff, 1980-81 average salaries (derived) for basic education classified staff and 1981-82 and 1982-83 salary increase percentages which was developed by the legislative evaluation and accountability program committee on April 20, 1981, at 2:02 p.m.

(2) "LEAP Document 4" means the computer tabulation of 1980-81 derived base salaries for basic education certificated staff, 1980-81 average salaries (derived) for basic education classified staff and 1981-82 and 1982-83 salary increase percentages which was developed by the legislative evaluation and accountability program committee on March 25, 1982 at 4:30 p.m.

(3) "State-supported staff" means state-funded staff in the following programs: Basic education (program 00), general instructional support (program 94), general support (program 97), secondary vocational education (program 30), handicapped (program 21) exclusive of any staff funded in the block grant program under section 100 of this act, vocational-technical institutes/adult education (programs 47 and 48), state institutions (program 46), educational service districts, and transportation (program 99).

~~((3))~~ (4) "Incremental fringe benefits" means 7% for certificated staff and 14% for classified staff, which percentage shall be applied to salary increases and is for employer contributions to old age survivor's insurance, workers' compensation, unemployment compensation, and retirement benefits under the public employees' retirement system (chapter 41.40 RCW).

Sec. 74. Section 92, chapter 340, Laws of 1981 as amended by section 76, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

SALARY AND COMPENSATION INCREASES

General Fund Appropriation	\$ ((152,352,000))
	<u>112,299,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) Increases provided by this section shall be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(2) Salary and insurance benefit increase funds shall be allocated by the superintendent of public instruction as specified in this section and may be expended by school districts for any state funded activity.

(3) ~~((The 1982-83 salary and incremental fringe benefit increase allocation provided by this section shall be implemented on January 1, 1983, to each local school district on the basis of the RCW 28A.48.010 monthly schedule for the applicable months during the 1982-83 state fiscal year.~~

~~((4))~~ A maximum of ~~\$((83,742,000))~~ 54,666,000 for the 1981-83 biennium may be expended for provision of basic education state-supported certificated staff salary increases as provided in LEAP Document 2 and concomitant incremental fringe benefits. Local school district percentage salary increases under this section, excluding incremental fringe benefits and including any relevant increases as a result of the provisions of subsection ~~((8))~~ (7) (b) and (c) of this section, shall not exceed the percentages specified in LEAP Document ~~((2))~~ 4.

~~((5))~~ (4) A maximum of ~~\$((18,910,000))~~ 12,113,000 for the 1981-83 biennium may be expended for provision of basic education state-supported classified staff salary increases as provided in LEAP Document 2 and concomitant incremental fringe benefits. Local school district percentage increases provided under this section, excluding incremental fringe benefits and including any relevant increases as a result of the provisions of subsection ~~((8)(b))~~ (7)(b) of this section, shall not exceed the percentages specified in LEAP Document ~~((2))~~ 4.

~~((6))~~ (5) A maximum of ~~\$((34,430,000))~~ 34,147,000 for the 1981-83 biennium may be expended for insurance benefit increases for state-supported basic education certificated and classified staff at a rate of \$26 per month per full time equivalent staff unit in 1981-82 and an additional \$16 per month in 1982-83.

~~((7))~~ (6) A maximum of ~~\$((15,270,000))~~ 10,922,000 for the 1981-83 biennium for state-supported staff salary, insurance benefit increases, and concomitant incremental fringe benefits for educational service district staff, institutional education staff (program 46), vocational-technical institutes/adult basic education (programs 47 and 48), handicapped program staff (program 21) and transportation staff (program 99), to be distributed at rates and/or percentages not exceeding those specified for the basic education certificated or classified staff, as the case may be, of a district using the pertinent program derived base salary and staff mix factor for certificated staff and average salary for classified staff. Educational service district staff shall receive salary increases funded from this appropriation at the support level provided in section 99 of this act at a rate of 6.87% in 1981-82 and 7.35% in 1982-83, effective ~~((January 1))~~ June 30, 1983, and insurance benefit increases at the same rate as provided in subsection ~~((6))~~ (5) of this section. Educational service districts, institutional education (program 46) and vocational-technical institutes/adult basic education (programs 47 and 48) shall receive first draw from this appropriation.

~~((8))~~ (7) For purposes of chapter 16, Laws of 1981, the following conditions and limitations shall apply:

(a) Districts may provide salary and insurance benefit increases for nonstate-supported activities at rates not exceeding those specified by LEAP Document ~~((2))~~ 4 for state-supported basic education certificated staff in each school year of the biennium for each district.

(b) That part of insurance benefits granted employees that are in excess of:

(i) \$121 per full time equivalent staff unit in 1981-82 shall constitute a portion of the salary increase specified in LEAP Document ~~((2))~~ 4: PROVIDED, That if insurance benefits granted employees in 1980-81 were in excess of \$121 per full time equivalent staff unit then only that part granted to employees for 1981-82 in excess of the 1980-81 level shall constitute a portion of the salary increase specified in LEAP Document ~~((2))~~ 4.

(ii) \$137 per full time equivalent staff unit in 1982-83 shall constitute a portion of the salary increase specified in LEAP Document ((2)) 4: PROVIDED, That if insurance benefits granted employees in 1981-82 were in excess of \$137 per full time equivalent staff unit then only that part granted to employees for 1982-83 in excess of the 81-82 level shall constitute a portion of the salary increase specified in LEAP Document ((2)) 4.

(c) Increments granted by school districts to certificated staff shall constitute salary increase only to the extent that the aggregate of increments granted by a district in accordance with its salary schedule exceeds the aggregate of increments which are provided pursuant to LEAP Document 1.

~~((9))~~ (8) A district shall not be in violation of this section or chapter 16, Laws of 1981, as a result of corrections to the reported staff mix data in the 1980-81 ~~((or)),~~ 1981-82, or 1982-83 school years as long as the average salary for the 1981-82 and 1982-83 school year, respectively, does not exceed the average salary that would have been generated through consistent application of the incorrect base salary and staff mix in the 1981-82 and 1982-83 school year, respectively.

~~((10) The salary increase for the 1982-83 fiscal year shall take effect January 1, 1983:)~~ (9) The 1982-83 salary increase shall be effective on June 30, 1983, and shall be allocated by the superintendent of public instruction as specified in LEAP Document 2.

(10) A maximum of \$451,000 shall be distributed to those school districts which after May 19, 1981, and prior to December 1, 1981, incurred a contractual obligation to pay any employee or employee group a salary increase during the 1982-83 school year and such obligation cannot be revoked or otherwise avoided by unilateral action of such districts: PROVIDED, That the total salary increase obligation is within the limits prescribed by LEAP Document 2: PROVIDED FURTHER, That the portion of salary increase funds provided to each qualifying district shall be distributed in the same proportion to the total provided herein as its irrevocable salary increase obligation is in proportion to the total irrevocable salary increase obligation of all qualifying districts: PROVIDED FURTHER, That the determination of revocability or avoidability of the obligation for purposes of receipt of the funds provided under this subsection shall be the sole and final determination of the state attorney general after reviewing the contract regardless of what may be determined by an arbitrator or court as to the school district's obligation to its employees.

(11) The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of this 1982 act.

Sec. 75. Section 94, chapter 340, Laws of 1981 as amended by section 77, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION

General Fund Appropriation \$ 147,300,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$842,000 may be expended for regional transportation coordinators.

(2) A maximum of \$74,000 may be expended for driver training.

(3) (a) If House Bill No. 711 is enacted during the 1981 regular session of the legislature, activities eligible for state reimbursement in the 1982-83 school year are as follows:

(i) Handicapped student transportation;

(ii) Transportation of students to and from the nearest or next-nearest school in accordance with RCW 28A.41.160(1) as amended by Engrossed Substitute House Bill No. 711;

(iii) Costs of acquisition of approved transportation equipment in accordance with RCW 28A.41.160(2);

(iv) Transportation of students to and from two or more locations during the school day when necessary for the student to pursue his or her course of study: PROVIDED, That field trips and extracurricular transportation shall not be funded under this section.

(b) The superintendent of public instruction shall transfer \$6,000,000 from this appropriation to the appropriation provided for block grants in section 100 of this act if Engrossed Substitute House Bill No. 711 is enacted during the 1981 regular session of the legislature and if, on or after October 1, 1982, the superintendent certifies to the governor that its enforcement was not subject to a permanent or preliminary injunction at any time during the previous thirty days.

(4) The disbursements to local school districts from the appropriation in this section are subject to reductions under section 83 of this 1982 act.

Sec. 76. Section 95, chapter 340, Laws of 1981 as amended by section 78, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-TECHNICAL INSTITUTES

General Fund Appropriation	\$ ((41,168,000))
	<u>41,323,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) (a) The 1981-82 school year appropriation is based on an enrollment of 9,561 full time equivalent students at a state support level per student of \$2,063, not including salary and insurance benefit increases.

(b) The 1982-83 school year appropriation is based on an enrollment of 9,905 full time equivalent students at a state support level per student of \$2,136, not including salary and insurance benefit increases.

(2) A maximum of \$533,000 of this appropriation may be expended for adult education.

(3) The disbursements to local school districts from the appropriation in this section are subject to reductions under section 83 of this 1982 act.

Sec. 77. Section 96, chapter 340, Laws of 1981 as amended by section 79, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL FOOD SERVICE PROGRAMS

General Fund Appropriation—State	\$	6,432,000
General Fund Appropriation—Federal	\$	69,744,000
Total Appropriation	\$	76,176,000

The appropriations in this section are subject to the following condition or limitation: The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of this 1982 act.

Sec. 78. Section 97, chapter 340, Laws of 1981 as amended by section 80, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR HANDICAPPED COSTS

General Fund Appropriation—State	\$	119,921,000
General Fund Appropriation—Federal	\$	27,200,000
Total Appropriation	\$	147,121,000

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

(1) For the 1981-82 school year, the superintendent of public instruction shall allocate funds in accordance with LEAP Document 3.

(2) For the 1982-83 school year, the superintendent of public instruction shall allocate funds in accordance with LEAP Document 3 (Revised).

(3) Communication disordered, specific learning disabled, and behaviorally disabled students may be served from funds appropriated for the block grant program.

(4) The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of this 1982 act.

Sec. 79. Section 99, chapter 340, Laws of 1981 as amended by section 81, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund Appropriation—State	\$	((3,986,000))
		3,946,000
State Funding Sources	\$	3,373,000
Total Appropriation	\$	((7,359,000))
		7,319,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Educational service districts shall be apportioned funds based upon the following schedule:

	General Fund—State	State Funding Sources
E.S.D. No. 101	\$(505,000)	\$562,000
	501,000	
E.S.D. No. 105	\$(484,000)	\$269,000
	479,000	
E.S.D. No. 112	\$(407,000)	\$453,000
	403,000	
E.S.D. No. 113	\$(434,000)	\$483,000
	430,000	
E.S.D. No. 114	\$(374,000)	\$208,000
	370,000	
E.S.D. No. 121	\$(356,000)	\$396,000
	352,000	
E.S.D. No. 123	\$(472,000)	\$262,000
	467,000	
E.S.D. No. 171	\$(577,000)	\$321,000
	571,000	
E.S.D. No. 189	\$(377,000)	\$419,000
	373,000	
Total	\$(3,986,000)	\$3,373,000
	3,946,000	

(2) School districts in the respective educational service districts shall provide the amounts specified from state funding sources accruing under section 87 of this act on a per capita enrollment basis prior to June 30th of each school year.

(3) Educational service districts may provide additional services, not funded under this section but desired by school districts, by billing the school districts desiring the services for the cost of the services.

(4) Educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.21.088 (3) and (4).

Sec. 80. Section 100, chapter 340, Laws of 1981 as amended by section 82, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR BLOCK GRANTS

General Fund Appropriation—State \$ 109,160,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$46,285,000 may be expended in the 1981–82 fiscal year for provision of programs as delineated in subsection (3) of this section to be distributed on a pro rata basis by the superintendent of public instruction to school districts on the basis of the amount of state funds received by each school district on an annual average full time equivalent enrollment for the 1980–81 school year using the following: Bilingual program; gifted program; urban and rural racially disadvantaged program; remediation program; and state funds received for specific learning disabled students, behaviorally disabled students, and communication disordered students.

(2) A maximum of \$~~((60,289,000))~~ 59,679,000 may be expended for the 1982–83 fiscal year to be distributed by the superintendent of public instruction as follows:

(a) One-third of the funds shall be distributed on the basis of each district's annual average full time equivalent enrollment adjusted by the ratio of a district's recognized basic education average certificated salary to the state-wide average recognized basic education average certificated salary.

(b) The remaining funds shall be distributed on the same basis as funds were distributed in the 1981–82 school year pursuant to subsection (1) of this section.

(3) The funds allocated by this section may be expended by school districts for provision of special instructional programs, including but not limited to: Remediation assistance programs; cultural enrichment programs; transitional bilingual programs; preschool education programs; alternative education programs; community involvement programs (including PUSH–EXCEL); environmental education programs; education for superior students programs; Indian education programs; Pacific Science Center programs; and programs for the specific learning disabled, communication disordered, and behaviorally disordered.

(4) From the dollars allocated per student, the superintendent may charge a state-wide or regional fee to maintain programs of state-wide or regional benefit, provided school boards representing a majority of the population agree to the fee.

(5) \$2,966,000 is provided solely for support of Indochinese refugee educational programs.

(6) The superintendent of public instruction shall contract \$230,000 for services to support an approved gifted program to be conducted at Fort Worden state park.

(7) Salary and benefits increases are included in the funds allocated by this section.

(8) The disbursements to local school districts from the appropriation in this section are subject to reductions under section 83 of this 1982 act.

Sec. 81. Section 101, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE INSTITUTIONAL EDUCATION PROGRAMS

General Fund Appropriation—State	\$	((15,438,000))
		15,361,000
General Fund Appropriation—Federal	\$	5,560,000
Total Appropriation	\$	((20,998,000))
		20,921,000

The appropriations in this section are subject to the following condition or limitation: The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of this 1982 act: PROVIDED,

That percentage reductions in this program by any school district shall not exceed 0.5% on a biennial basis.

Sec. 82. Section 105, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL CLINICS

General Fund Appropriation	\$	((1,000,000))
		<u>990,000</u>

NEW SECTION. Sec. 83. There is added to chapter 340, Laws of 1981 a new section to read as follows:

The superintendent of public instruction shall achieve a reduction of \$15,674,000 in the total disbursements of state general fund moneys to local school districts for the 1982–1983 school year for those programs under sections 72, 74, 75, 76, 77, 78, 80, and 81 of this 1982 act. This reduction approximates a 0.5% biennial reduction in the state general fund appropriation for disbursement to each local school district. The legislature recognizes that local school districts are best prepared to identify their own individual local needs and priorities. Local school districts require maximum flexibility in prioritizing and providing for those programs that best meet their local needs. By December 1, 1982, each local school district shall inform the superintendent of public instruction of those programs for which entitled disbursements shall be reduced for that district, and the amount of the reductions. After December 1, 1982, for any local school district which fails to comply with this section, the superintendent shall reduce all disbursements as necessary to carry out the purposes of this section. By January 15, 1983, the superintendent of public instruction shall submit a report to the legislature describing the reductions achieved under this section.

Sec. 84. Section 107, chapter 340, Laws of 1981 as amended by section 83, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

General Fund Appropriation—State	\$	((378,408,000))
		<u>370,840,000</u>
General Fund Appropriation—Federal	\$	271,000
Total Appropriation	\$	((378,679,000))
		<u>371,111,000</u>

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

(1) A maximum of \$2,608,000 may be spent for the small school adjustment to Whatcom, Olympia Technical, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, Lower Columbia, and Walla Walla Community Colleges. The distribution of such funds shall be based on a percent of formula entitlement for faculty staffing which shall be increased at the rate of one percentage point above the 71.0% base level for each 100 full time equivalent students below the 2,500 full time equivalent student enrollment level, except that no community college shall be funded in excess of 86.0% of formula.

(2) At least \$227,291 shall be expended for the purchase and maintenance of equipment to access the higher education personnel payroll system.

(3) In making reductions in funds, no reductions shall be made affecting tuition waivers for the parenting education program.

(4) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$71,854,988 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

(5) (a) For purposes of the 1983-85 budget development, enrollments which are attributable to ungraded courses, excluding adult basic education, for which operating fees are waived in whole or part shall be reduced by a percentage calculated by dividing the waived operating fees by the total operating fees and multiplying by twenty-three percent.

(b) As used in this subsection (5):

(i) "Waived operating fees" means the operating fees waived for an enrollment under RCW 28B.15.502(4); and

(ii) "Total operating fees" means the operating fees which would have been paid for an enrollment if no waiver had been granted.

Sec. 85. Section 108, chapter 340, Laws of 1981 as amended by section 84, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund Appropriation	\$	((280,102,000))
		<u>281,551,000</u>
Accident Fund Appropriation	\$	1,027,000
Medical Aid Fund Appropriation	\$	1,027,000
University of Washington Building Account Appropria- tion	\$	((55,355,000))
		<u>48,304,000</u>
Total Appropriation	\$	((337,511,000))
		<u>331,909,000</u>

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

(1) \$1,600,000 is provided solely for family medicine education.

(2) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$51,831,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 86. Section 109, chapter 340, Laws of 1981 as amended by section 85, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY

General Fund Appropriation	\$	((172,832,000))
		<u>169,375,000</u>
Washington State University Building Account Appropria- tion	\$	18,200,000
Total Appropriation	\$	((191,032,000))
		<u>187,575,000</u>

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

(1) A maximum of \$380,000 may be expended for federal matching purposes for the small business development center.

(2) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$24,315,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 87. Section 110, chapter 340, Laws of 1981 as amended by section 86, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((54,417,000))
		<u>53,329,000</u>
Eastern Washington University Capital Projects Account Appropriation	\$	2,066,000
Total Appropriation	\$	((56,483,000))

55,395,000

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$10,351,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 88. Section 111, chapter 340, Laws of 1981 as amended by section 87, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((48,852,000))
		47,875,000
Central Washington University Capital Projects		
Account Appropriation.....	\$	1,666,000
Total Appropriation	\$	((50,518,000))
		49,541,000

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$10,327,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 89. Section 112, chapter 340, Laws of 1981 as amended by section 88, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

General Fund Appropriation	\$	((25,247,000))
		24,742,000

The appropriation in this section is subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$5,500,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 90. Section 113, chapter 340, Laws of 1981 as amended by section 89, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((58,362,000))
		57,195,000
Western Washington University Capital Projects		
Account Appropriation.....	\$	3,102,000
Total Appropriation	\$	((61,464,000))
		60,297,000

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$9,599,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

NEW SECTION. Sec. 91. There is added to chapter 340, Laws of 1981 a new section to read as follows:

(1) FOR INSTITUTIONS FOR HIGHER EDUCATION—SUPPLEMENTAL TUITION APPROPRIATIONS

(a) THE UNIVERSITY OF WASHINGTON

General Fund Appropriation	\$	2,667,000
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(b) WASHINGTON STATE UNIVERSITY

General Fund Appropriation	\$	1,649,000
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(c) EASTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	514,000
(d) CENTRAL WASHINGTON UNIVERSITY		
General Fund Appropriation	\$	466,000
(e) THE EVERGREEN STATE COLLEGE		
General Fund Appropriation	\$	242,000
(f) WESTERN WASHINGTON UNIVERSITY		
General Fund Appropriation	\$	553,000
(g) THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION		
General Fund Appropriation	\$	3,609,000

(2) The appropriations in subsection (1) of this section are subject to the following conditions and limitations:

(a) The appropriations in subsection (1) of this section are contingent upon the enactment of Second Substitute House Bill No. 784.

(b) If the final fiscal note approved by the office of financial management for Second Substitute House Bill No. 784 indicates estimated excess revenues of less than \$9,700,000, the appropriations in subsection (1) of this section shall be reduced proportionately. As used in this section, "estimated excess revenues" means estimated revenues in excess of \$11,200,000.

(3) The appropriations in sections 84 through 91 of this 1982 act are subject to the following condition or limitation: To the maximum extent feasible, new instructional staffing will be in nontenure-track appointments.

Sec. 92. Section 115, chapter 340, Laws of 1981 as amended by section 90, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COUNCIL FOR POSTSECONDARY EDUCATION

General Fund Appropriation—State	\$	((20,478,000))
		<u>19,878,000</u>
General Fund Appropriation—Federal	\$	3,684,000
Total Appropriation	\$	((24,162,000))
		<u>23,562,000</u>

The appropriations in this section are subject to the following condition (~~and~~) or limitation: \$106,000 shall be expended to honor higher education reciprocity agreements with the state of Oregon.

Sec. 93. Section 114, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE COMPACT FOR EDUCATION

General Fund Appropriation	\$	((29,200))
		<u>61,000</u>

~~((The appropriation in this section is subject to the following condition or limitation: This appropriation is provided solely for the first fiscal year of the biennium.))~~

Sec. 94. Section 116, chapter 340, Laws of 1981 as amended by section 91, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC BROADCASTING COMMISSION

General Fund Appropriation—State	\$	((+28,000))
		<u>124,000</u>
General Fund Appropriation—Federal	\$	8,000
Total Appropriation	\$	((+36,000))
		<u>132,000</u>

Sec. 95. Section 118, chapter 340, Laws of 1981 as amended by section 92, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION FOR VOCATIONAL EDUCATION

General Fund Appropriation—State	\$	((+734,000))
		<u>1,682,000</u>
General Fund Appropriation—Federal	\$	27,157,000

Total Appropriation \$ ~~((28,891,000))~~
28,839,000

The appropriations in this section are subject to the following condition ~~((and))~~ or limitation: No state funds may be used by the advisory council for vocational education.

Sec. 96. Section 120, chapter 340, Laws of 1981 as amended by section 94, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE LIBRARY

General Fund Appropriation—State \$ ~~((6,466,000))~~
6,426,000
 General Fund Appropriation—Federal \$ 2,147,000
 General Fund Appropriation—Private/Local \$ 168,000
 Washington Library Network Computer System
 Revolving Fund Appropriation—Private/Local \$ 5,417,000
 Total Appropriation \$ ~~((14,198,000))~~
14,158,000

The appropriations in this section are subject to the following condition or limitation: \$1,155,000 (of which \$98,000 is from federal funds) of the general fund appropriation, or as much additional funding as is necessary to maintain current service levels and expand the radio reading service to Spokane, shall be expended for the library for the blind and physically handicapped.

Sec. 97. Section 121, chapter 340, Laws of 1981 as amended by section 95, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund Appropriation—State \$ ~~((1,228,286))~~
1,191,000
 General Fund Appropriation—Federal \$ 893,000
 Total Appropriation \$ ~~((2,121,286))~~
2,084,000

The appropriations in this section are subject to the following condition or limitation: ~~\$((679,000))~~ 659,000 is provided solely for the cultural enrichment program in the common schools.

Sec. 98. Section 122, chapter 340, Laws of 1981 as amended by section 96, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation \$ ~~((541,000))~~
525,000

The appropriation in this section is subject to the following condition or limitation: \$27,000 is provided solely for a state historical monument to recognize the World War II internment of Japanese-Americans at the Western Washington fairgrounds in Puyallup. Funds appropriated for this memorial may be expended to the extent that at least twenty-five percent of the total cost of the project authorized is obtained from federal, local, or private sources.

Sec. 99. Section 123, chapter 340, Laws of 1981 as amended by section 97, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation \$ ~~((454,000))~~
440,000

Sec. 100. Section 124, chapter 340, Laws of 1981 as amended by section 98, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE CAPITOL HISTORICAL ASSOCIATION

General Fund Appropriation \$ ~~((399,000))~~
387,000

General Fund—State Capitol Historical Association	
Museum Account Appropriation	\$ 53,000
Total Appropriation	\$ ((452,000))
	<u>440,000</u>

Sec. 101. Section 125, chapter 340, Laws of 1981 as amended by section 99, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

General Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund		\$ 8,000
General Fund—Criminal Justice Training Account Appropriation: For transfer to the general fund on or before June 30, 1983, an amount up to \$1,100,000		\$ 1,100,000
General Fund—Investment Reserve Account Appropriation: For transfer to the general fund on or before June 29, 1983, pursuant to chapter 50, Laws of 1969		\$ 40,000,000
Motor Vehicle Fund Appropriation: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the department of transportation and the Washington state patrol during the period July 1, 1981, through June 30, 1983		\$ 3,000,000
Motor Vehicle Fund Appropriation: For transfer to the Grade Crossing Protective Fund for appropriation to the utilities and transportation commission for the 1981–1983 biennium to carry out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, and 81.53.291		\$ 697,000
Motor Vehicle Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund		\$ 40,000
State Treasurer's Service Fund Appropriation: For transfer to the general fund on or before July 20, 1983, an amount up to \$17,794,000 in excess of the cash requirements in the State Treasurer's Service Fund for fiscal year 1984, for credit to the fiscal year in which earned		\$ 17,794,000
Teachers' Retirement Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund		\$ 2,572,000
General Fund—Trust Land Purchase Account Appropriation: For transfer to the general fund on or before June 30, 1983, an amount up to \$((856,000)) <u>1,028,000</u> in excess of the cash requirements in the Trust Land Purchase Account, as determined by the office of financial management		\$ ((856,000))
		<u>1,028,000</u>

General Fund Appropriation: For transfer to the law enforcement officers' and fire fighters' retirement system: PROVIDED, That the amount transferred shall not exceed the additional interest which would have been earned by the system if the amounts appropriated in section 34, chapter 340, Laws of 1981 had been transferred to the system quarterly

	\$ \$22,000,000
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NEW SECTION. Sec. 102. There is added to chapter 340, Laws of 1981 a new section to read as follows:

The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated and authorized to be expended out of the several funds indicated, for the period July 1, 1981, to June 30, 1983.

SUNDRY CLAIMS

General Fund Appropriations, except as otherwise provided, for relief of various individuals, firms, and corporations for sundry claims. These appropriations are to be disbursed on vouchers approved by the director of financial management, except as otherwise provided, as follows:

(1) Joe A. Allemandi, Payment for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund	\$	3,000.00
(2) Hallie Fletcher, Payment for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund	\$	2,455.80
(3) Mabel G. Dillon, Reimbursement for amount paid to state, plus interest, for purchase of tidelands which she already owned: PROVIDED, That payment shall be made from the resource management cost account in the General Fund	\$	2,660.37
(4) Tjarnberg Brothers Orchard, Payment for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund	\$	2,361.00
(5) Living Services, Inc., Payment of Stipulated Judgment No. 79-2-1433-5	\$	73,641.00
(6) William Folden, Payment of Stipulated Judgment No. 79-2-1433-5	\$	47,374.00
(7) Insley, Best, Chapin, Uhlman & Doezie, P.S., Payment of Stipulated Judgment No. 79-2-1433-5	\$	140.00
(8) Allinson, Inc., Payment of Stipulated Judgment No. 79-2-00445-3: PROVIDED, That payment shall be made from the Motor Vehicle Fund, as is available under RCW 46.16.061	\$	9,239.95
(9) Spokane Community College, Reimbursement for payment of Stipulated Judgment No. 81200361-8	\$	100,000.00
(10) Office of Financial Management, Payment of weed district assessments on state lands, as presented by the Office of State Auditor	\$	376.81

NEW SECTION. Sec. 103. There is added to chapter 340, Laws of 1981, a new section to read as follows:

(1) The legislature assumes that \$30,000,000 in savings in state general fund expenditures will result from the enactment of Second Substitute House Bill No. 124 or Senate Bill No. 4424. Each elected state official shall reduce allotments of agencies for which the official has allotment revision authority to reflect the savings actually realized as a result of the enactment of Second Substitute House Bill No. 124 or Senate Bill No. 4424.

(2) If neither Second Substitute House Bill No. 124 nor Senate Bill No. 4424 are enacted during the 1982 1st extraordinary session of the legislature, the governor shall implement measures improving productivity, including but not limited to shorter office hours, fewer work days, and leave without pay. To this end, the governor shall reduce the allotments of moneys appropriated to the agencies for which the governor has allotment revision authority so that the aggregate of the allotments is at least ten million dollars less than the aggregate of the appropriations for those

agencies. The allotment reductions shall be distributed among the agencies in a manner which in the governor's judgment will enhance productivity. Other elected state officials shall implement similar productivity increases wherever feasible.

(3) The portion of any appropriation not needed for an allotment as reduced under this section shall lapse. The allotment reductions made under this section are in addition to any allotment reductions which may be made under chapter 43.88 RCW.

Sec. 104. Section 37, chapter 67, Laws of 1981 as amended by section 101, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

To carry out this act, there is appropriated to the office of the chief administrative law judge from the general fund for the fiscal year from July 1, 1981, through June 30, 1982, the sum of one hundred (~~(eight)~~) five thousand dollars, or so much thereof as may be necessary.

Sec. 105. Section 2, chapter 69, Laws of 1981 as amended by section 102, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

There is appropriated to the office of financial management from the general fund for the biennium ending June 30, 1983, the sum of (~~(one million three hundred fifty)~~) thirty-nine thousand dollars (~~(; or so much thereof as may be necessary,)~~) to be disbursed to the department of commerce and economic development, the state energy office, and the department of natural resources, or their successor agencies, for the development, installation, and presentation of an exhibition at Energy Fair '83 during the period of the exposition (~~(: PROVIDED, That these funds shall revert to the general fund on April 1, 1982, unless the citizens of Benton and/or Franklin counties and/or the municipalities therein have favorably passed a bond issue which would fund that portion of Energy Fair '83 costs which are a local responsibility)~~).

Sec. 106. Section 123, chapter 136, Laws of 1981 as amended by section 103, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund \$(~~(372,565)~~) 365,000 to the corrections standards board and \$4,630,000 to the department of corrections as established in this 1981 act. This appropriation shall be subject to the following conditions and limitations:

(1) For the 1981-83 biennium the department of corrections shall be authorized an additional 93 FTE staff years.

(2) These additional FTE staff years shall be in addition to the staffing level authorized in ESSB 3636. There shall be transferred to the department of corrections an amount of general fund appropriation, state and FTE staff years, the exact amount to be determined by the secretary of social and health services and the secretary of corrections subject to the approval of the director of the office of financial management.

Sec. 107. Section 42, chapter 137, Laws of 1981 as amended by section 104, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

There is appropriated from the state general fund to the sentencing guidelines commission for the biennium ending June 30, 1983, the sum of (~~(six hundred sixteen)~~) five hundred ninety-eight thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

NEW SECTION. Sec. 108. There is appropriated from the state general fund to the Washington state winter recreation commission for the biennium ending June 30, 1983, the sum of twenty-eight thousand dollars for the duties imposed upon the commission by Substitute Senate Bill No. 4841. This appropriation is contingent on the enactment of Substitute Senate Bill No. 4841 during a 1982 session of the legislature.

Sec. 109. Section 16, chapter 268, Laws of 1981 as amended by section 106, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund to the judicial qualifications commission for the biennium ending June 30, 1983 a sum of $\$((258,000))$ 254,000. \$4,000 of this appropriation is contingent upon \$4,000 of the compensation increase moneys provided to the commission under section 14, chapter 340, Laws of 1981, as amended, remaining in reserve status.

Sec. 110. Section 6, chapter 317, Laws of 1981 as amended by section 107, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PATROL

General Fund Appropriation—State	\$	<u>$((12,062,761))$</u>
		11,700,878
Motor Vehicle Fund—State Patrol Highway Account		
Appropriation—State	\$	90,391,815
Highway Safety Fund Appropriation—State	\$	9,000
Total Appropriation	\$	<u>$((102,463,576))$</u>
		102,101,693

The appropriations contained in this section are subject to the following condition and limitation: The highway safety fund appropriation in this section is provided for the vehicle equipment safety commission.

Sec. 111. Section 8, chapter 317, Laws of 1981 as amended by section 109, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—EXECUTIVE MANAGEMENT—PROGRAM Z—MANAGEMENT SERVICES—PROGRAM S

General Fund—Aeronautics Account Appropria- tion—State	\$	8,722
General Fund Appropriation—State	\$	<u>$((59,200))$</u>
		57,424
Motor Vehicle Fund—Puget Sound Capital Con- struction Account Appropriation—State	\$	525,462
Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation—State	\$	441,773
Motor Vehicle Fund Appropriation—State	\$	15,417,283
Total Appropriation	\$	<u>$((16,452,440))$</u>
		16,450,664

The appropriations contained in this section are provided for executive management, management services, and support costs of the department of transportation. The department of transportation may transfer any portion of the motor vehicle fund appropriations in this section between Programs S and Z.

Sec. 112. Section 11, chapter 317, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION AND PLANNING—PROGRAM T

(1) For public transportation and rail programs:

General Fund Appropriation—State	\$	<u>$((815,570))$</u>
		791,100
General Fund Appropriation—Federal	\$	9,839,000
General Fund Appropriation—Local	\$	185,000

(2) For planning and research:

Motor Vehicle Fund Appropriation—State	\$	5,192,909
Motor Vehicle Fund Appropriation—Federal	\$	6,320,000
Total Public Transportation and Planning Appropriation	\$	<u>$((22,352,479))$</u>
		22,328,009

The appropriations contained in this section are provided for the management and support of the public transportation and planning division, urban mass transportation administration programs, for rail programs, for state loans for formation of public transportation districts, for studies which support local public transportation programs, for maintenance of the state transportation plan, for highway planning and research by the department of transportation, and for research and studies approved by the department of transportation (~~and the legislative transportation committee~~).

Sec. 113. Section 10, chapter 330, Laws of 1981 as amended by section 112, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

(1) There is hereby appropriated from the general fund for the biennium ending June 30, 1983, to the legislative budget committee the sum of (~~ninety~~) eighty-seven thousand dollars for the purpose of conducting a study of the judicial information system as provided in section 9 of this act.

(2) There is hereby appropriated from the general fund for the biennium ending June 30, 1983, to the office of the administrator for the courts the sum of seven million (~~nine~~) eight hundred (~~fifty-five~~) twenty-five thousand dollars for the judicial information system.

NEW SECTION. Sec. 114. There is added to chapter 143, Laws of 1981 a new section to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

(1) Minor remodel of the third and fourth floors of the insurance building for the OFM occupancy.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		332,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/83	Thereafter	
332,000		332,000

(2) Conversion of existing storage center located in the basement of the public lands building for support services space.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		140,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/83	Thereafter	
140,000		140,000

(3) Develop schematic designs and begin the remodeling of the house office building.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		100,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/83	Thereafter	
100,000	3,900,000	4,000,000

NEW SECTION. Sec. 115. 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. 116. 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 of the title, after "appropriations;" strike the remainder of the title and insert "modifying appropriations and expenditures for the operations and capital projects of state agencies for the fiscal biennium beginning July 1, 1981, and ending June 30, 1983; amending section 4, chapter 340, Laws of 1981 as amended by section 5, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 5, chapter 340, Laws of 1981 as amended by section 6, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 6, chapter 340, Laws of 1981 as amended by section 7, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 7, chapter 340, Laws of 1981 as amended by section 8, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 8, chapter 340, Laws of 1981 as amended by section 9, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 9, chapter 340, Laws of 1981 as amended by section 10, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 10, chapter 340, Laws of 1981 as amended by section 11, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 11, chapter 340, Laws of 1981 as amended by section 12, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 12, chapter 340, Laws of 1981 as amended by section 13, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 13, chapter 340, Laws of 1981 as amended by section 14, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 14, chapter 340, Laws of 1981 as amended by section 15, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 15, chapter 340, Laws of 1981 as amended by section 16, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 16, chapter 340, Laws of 1981 as amended by section 17, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 17, chapter 340, Laws of 1981 as amended by section 18, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 18, chapter 340, Laws of 1981 as amended by section 19, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 19, chapter 340, Laws of 1981 as amended by section 20, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 22, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 20, chapter 340, Laws of 1981 (uncodified); amending section 21, chapter 340, Laws of 1981 as amended by section 24, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 24, chapter 340, Laws of 1981 as amended by section 26, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 25, chapter 340, Laws of 1981 as amended by section 27, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 26, chapter 340, Laws of 1981 as amended by section 28, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 27, chapter 340, Laws of 1981 as amended by section 29, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 28, chapter 340, Laws of 1981 as amended by section 30, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 29, chapter 340, Laws of 1981 as amended by section 31, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 30, chapter 340, Laws of 1981 (uncodified); amending section 33, chapter 340, Laws of 1981 as amended by section 33, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 36, chapter 340, Laws of 1981 as amended by section 35, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 37, chapter 340, Laws of 1981 as amended by section 36, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 40, chapter 340, Laws of 1981 (uncodified); amending section 41, chapter 340, Laws of 1981 as

1981 2nd ex. sess. (uncodified); amending section 94, chapter 340, Laws of 1981 as amended by section 77, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 95, chapter 340, Laws of 1981 as amended by section 78, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 96, chapter 340, Laws of 1981 as amended by section 79, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 97, chapter 340, Laws of 1981 as amended by section 80, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 99, chapter 340, Laws of 1981 as amended by section 81, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 100, chapter 340, Laws of 1981 as amended by section 82, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 101, chapter 340, Laws of 1981 (uncodified); amending section 105, chapter 340, Laws of 1981 (uncodified); amending section 107, chapter 340, Laws of 1981 as amended by section 83, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 108, chapter 340, Laws of 1981 as amended by section 84, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 109, chapter 340, Laws of 1981 as amended by section 85, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 110, chapter 340, Laws of 1981 as amended by section 86, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 111, chapter 340, Laws of 1981 as amended by section 87, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 112, chapter 340, Laws of 1981 as amended by section 88, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 113, chapter 340, Laws of 1981 as amended by section 89, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 115, chapter 340, Laws of 1981 as amended by section 90, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 114, chapter 340, Laws of 1981 (uncodified); amending section 116, chapter 340, Laws of 1981 as amended by section 91, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 118, chapter 340, Laws of 1981 as amended by section 92, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 120, chapter 340, Laws of 1981 as amended by section 94, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 121, chapter 340, Laws of 1981 as amended by section 95, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 122, chapter 340, Laws of 1981 as amended by section 96, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 123, chapter 340, Laws of 1981 as amended by section 97, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 124, chapter 340, Laws of 1981 as amended by section 98, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 125, chapter 340, Laws of 1981 as amended by section 99, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 37, chapter 67, Laws of 1981 as amended by section 101, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 2, chapter 69, Laws of 1981 as amended by section 102, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 123, chapter 136, Laws of 1981 as amended by section 103, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 42, chapter 137, Laws of 1981 as amended by section 104, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 16, chapter 268, Laws of 1981 as amended by section 106, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 6, chapter 317, Laws of 1981 as amended by section 107, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 8, chapter 317, Laws of 1981 as amended by section 109, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 11, chapter 317, Laws of 1981 (uncodified); amending section 10, chapter 330, Laws of 1981 as amended by section 112, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); adding new sections to chapter 340, Laws of 1981; adding a new section to chapter 143, Laws of 1981; creating new sections; repealing section 70, chapter 340, Laws of 1981, section 61, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); and declaring an emergency."

Signed by: Senators Hayner and Scott; Representatives Nelson (G.), Chandler

and Sommers.

MOTION

On motion of Senator Scott, the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 4369 was adopted.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 4369, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 25; nays, 20; excused, 4.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—25.

Voting nay: Senators Bauer, Charnley, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Rasmussen, Ridder, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—20.

Excused: Senators Bottiger, Conner, Shinpoeh, Talley—4.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4360, 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.

PERSONAL PRIVILEGE

Senator Charnley: "Ladies and gentlemen, the events of the past session have necessitated the return of a Donn, not a bill, to its house of origin. There I will undergo appropriate treatment to eliminate from my visage an unexpected epidemic eruption which was thrust upon me during the past year. I assure you of my every confidence in the success of this pimplectomy and after a two year inspection of the murals in the other chamber, I shall return to this house to renew the ties of friendship that I have been so fortunate to make this past biennium. I cannot individually acknowledge, or I should not, the individuals in here who I hold in such high regard. So many of you have become such good friends and I am indeed very fortunate to have been able to serve here.

"However, I do wish to acknowledge my deepest admiration of Senator George Clarke. His calm good sense, indefatigable courtesy, and above all, his courtliness in the face of both professional and personal difficulties serve as a shining example to us all and especially to me.

"Finally, Mr. President, I wish to attest my good fortune in having been afforded the pleasure of being presided over by an individual of such assiduous clairvoyance, debonair effectiveness, erudite forthrightness, gallant perceptiveness, persuasive statesmanship and unimpeachable wit; to wit, the Honorable John Cherberg, President of the Senate of Washington State. As a well-known American once promised, and he made good and I shall, I shall return. I thank you all."

PERSONAL PRIVILEGE

Senator Ridder: "As one of those who, with Senator Charnley, will not be returning in January of 1983 and if, as Senator McDermott has indicated, we are all fortunate not to return before that time, I wish to speak to that point of personal privilege, but I think that Senator Charnley has said it very well. I think at this point at the end of a 30 day special session I won't renew old recriminations. I will simply say that I think perhaps neuralgia predominates over nostalgia at this moment. Thank you."

PERSONAL PRIVILEGE

Senator Scott: "Mr. President, I have some private reservations as to whether we are going to be able to stay away from now to January, and I might even have some as to whether I will be here in January, so I need to get something off my chest too. I have been rereading *Democracy in America* by Alexis de Tocqueville, which is one of the several best books on public affairs of the 19th century, to see whether democracy has indeed progressed in this land of ours and I would like to share one passage out of the two volumes with you. de Tocqueville says, 'Democratic liberty is far from accomplishing all its projects with the skill of an adroit despotism. It frequently abandons them before they have borne their fruits or risks them when their consequences may be dangerous but in the end it produces more than any absolute government. If it does fewer things well, it does a greater number of things. Under its sway the grandeur is not what the public administration does but in what is done without it or outside of it. Democracy does not give the people the most skillful government but it produces what the ablest governments are frequently unable to create, namely, an all-pervading and restless activity, a superabundant force, an energy which is inseparable from it and which may, however unfavorable circumstances may be, produce wonders. These are the true advantages of democracy.'

"And I think that, given what we have been through in the last 90 days we would agree that democracy is rarely efficient but it is uncommonly just. It is usually noisy, often contradictory, sometimes acrimonious, but it is a place where all voices can be heard. It is a place where special interests can confirm or can contradict the common good. It is a place where the press can expose the politicians' foibles and its own fetishes in the process.

"So I conclude that the success of our democracy hinges, as it has all along, on the continuing interest of our fellow citizens, lest we fall to confusion, and most of all that those of us who have been privileged enough to represent them, seeing the process as closely as we do, should understand that the value of the product far exceeds the price paid. That is a testimonial to democracy. I would like to make it."

REMARKS BY SENATOR PULLEN

Senator Pullen: "Mr. President and members of the Senate, I just wanted to remind Senator Scott that de Tocqueville also said in the same book that democracy in America will survive only until such time as the people learn they can vote themselves benefits."

ANNOUNCEMENT OF DEATH OF FORMER MEMBER

The Secretary read the announcement of the death of Former Senator Frank Connor. Funeral services for Senator Connor will be held in Seattle on April 14, 1982.

REMARKS BY SENATOR GUESS

Senator Guess: "Mr. President, there are a few of us on the floor who served with Frank, but it was with a sadness that I learned today of his passing, and in memory of a man who sat where Senator Goltz sat for many years, I would like to ask that we stand for a moment of silent prayer."

A moment of silence was observed in memory of Senator Connor.

REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "Mr. President, as I was looking at House Concurrent Resolution No. 53 and I was reminded of the old days when we used to Sine Die and all the old bad bills that we had been working all session to kill died with us on Sine Die. Now we are keeping everything alive again and they just keep piling up. Are you going to Sine Die them all? Well I hope so.

"But the other thing I was going to remark on, it doesn't seem that with the annual sessions that we are doing any better job than we did when we had the biennial sessions. And as Senator Pullen so aptly remarked on that ballot title, maybe we ought to submit it back to the people again and go back to biennial sessions. Then it meant something when you went home. Not it seems you only go out one door and come in the other, and the fun, the celebration that we had when we got through with a hard session doesn't seem the same any more. Maybe we should appoint a committee to do away with the formality of it and just come in with a handshake and say, 'How do you do, Gov. Here we are. And there we go.' It might save us some time. But I do think that Senator Pullen in the interim should be working on a ballot title and an issue and we could go back to biennial sessions."

REMARKS BY THE PRESIDENT

President Cherberg: "Honored members of the Senate, ladies and gentlemen, the President should appreciate the privilege of giving his heartiest congratulations to the members of the Senate for surviving the roughest, toughest 90 day marathon at least of the last 25 years, with special compliments and mention to my good friend Sam Guess, President Pro Tem, and also to compliment and congratulate the staff for the marvelous job that they have done through the most trying circumstances, the Honorable Sidney Snyder over here, the Honorable Fred Hildebrand, the Honorable Ole Scarpelli, the Honorable Dorothy Greeley, the Honorable Chief Leather Lungs, the Honorable Marilyn Brachtenbach, the Honorable Gordon Golob and the Honorable Pat Durham, and the pages also — David and Goliath? Okay. Congratulations all. And above all, I should like to express my deepest appreciation to each and every one of you for the many courtesies you have extended to me and for all the accolades."

REMARKS BY THE PRESIDENT

President Cherberg: "The President also would like you indulgence to present another group of very fine people who have done so much for the success of this session. Each and every one of these lovely, charming, gracious, pulchritudinous babes have expressed the desire from one time or another to preside over the Senate, so therefore I am going to ask each one to come up and give her name and her position and telephone number.

"The President also believes that there should be a very friendly and warm reception given to Carrie and Maxine and the other ladies of the Senate dining room. Are they here tonight? After all, they have added a great deal to the Senate."

MOTIONS

On motion of Senator Clarke, the rules were suspended and Senator Rasmussen was permitted as an additional sponsor to Senate Resolution 1982—242.

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

SENATE RESOLUTION 1982—242

By Senators Hayner, Jones, Bottiger, Fleming and Rasmussen:

BE IT RESOLVED, That all bills, joint resolutions and joint memorials in the possession of the Secretary of the Senate upon adjournment of the 1982 First Special Session of the 47th Legislature be indefinitely postponed.

MOTION

On motion of Senator Clarke, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

April 10, 1982.

Mr. President: The House has passed: ENGROSSED SENATE BILL NO. 4705 with the following amendments:

On page 1, line 10 after "institution" insert "or institutions"

On page 1, line 18 after "cards;" insert:

"(d) Instructing users of gasoline credit cards to use self-service islands whenever possible;"

Reletter the remaining subsections consecutively, and the same is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

MOTION

On motion of Senator Gallagher, the Senate concurred in the House amendments to Engrossed Senate Bill No. 4705.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4705, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 39; absent or not voting, 6; excused, 4.

Voting yea: Senators Bauer, Benitz, Bluechel, Charnley, Clarke, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Ridder, Scott, Talmadge, von Reichbauer, Wilson, Wojahn, Zimmerman—39.

Absent or not voting: Senators Lysen, Pullen, Sellar, Vognild, Williams, Woody—6.

Excused: Senators Bottiger, Conner, Shinoch, Talley—4.

ENGROSSED SENATE BILL NO. 4705, 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

April 10, 1982.

Mr. President: The House has passed: ENGROSSED SENATE BILL NO. 4972, and the same is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE SENATE BILL NO. 4369,
SENATE BILL NO. 4972.

MOTION

At 8:00 p.m., on motion of Senator Clarke, the Senate recessed until 9:00 p.m.

SECOND EVENING SESSION

The President called the Senate to order at 9:00 p.m.

MESSAGES FROM THE HOUSE

April 10, 1982.

Mr. President: The Speaker has signed:

HOUSE CONCURRENT RESOLUTION NO. 50,
HOUSE CONCURRENT RESOLUTION NO. 52,

HOUSE CONCURRENT RESOLUTION NO. 53, and the same are herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

April 10, 1982.

Mr. President: The Speaker has signed Substitute Senate Bill No. 4369, and the same is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

April 10, 1982.

Mr. President: The Speaker has signed: SENATE BILL NO. 4972, and the same is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: SENATE BILL NO. 4705.

SIGNED BY THE PRESIDENT

The President signed:

HOUSE CONCURRENT RESOLUTION NO. 50,
HOUSE CONCURRENT RESOLUTION NO. 52,
HOUSE CONCURRENT RESOLUTION NO. 53.

MOTION

At 9:01 p.m., on motion of Senator Clarke, the Senate recessed until 9:30 p.m.

THIRD EVENING SESSION

The President called the Senate to order at 9:30 p.m.

MESSAGES FROM THE HOUSE

April 10, 1982.

Mr. President: The House has passed: ENGROSSED SENATE BILL NO. 4996, and the same is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

April 10, 1982.

Mr. President: The Speaker has signed: SENATE BILL NO. 4705, and the same is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: SENATE BILL NO. 4996.

MESSAGES FROM THE HOUSE

April 10, 1982.

Mr. President: The Speaker has signed: SENATE BILL NO. 4996, and the same is herewith transmitted.

FRANZ-WEICHERS GREGORY, Chief Clerk.

April 10, 1982.

Mr. President: The House has adopted: HOUSE CONCURRENT RESOLUTION NO. 54, and the same is herewith transmitted.

FRANZ-WEICHERS GREGORY, Chief Clerk.

FIRST READING OF HOUSE RESOLUTION

HOUSE CONCURRENT RESOLUTION NO. 54, by Nelson (G.):
Notifying governor that the legislature is about to adjourn SINE DIE.

MOTIONS

On motion of Senator Bluechel, the rules were suspended, House Concurrent Resolution No. 54 was advanced to second reading and read the second time in full.

On motion of Senator Bluechel, the rules were suspended, House Concurrent Resolution No. 54 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of House Concurrent Resolution No. 54, President Cherberg appointed Senators Bluechel, Sellar and Goltz to join with a like committee from the House, to notify the Governor that the legislature is about to adjourn Sine Die.

MOTION

On motion of Senator Bluechel, the appointments were confirmed.

MOTION

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

SENATE RESOLUTION 1982—238

By Senators Hayner, Jones, Bottiger and Fleming:

WHEREAS, The First Special Session of the 1982 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 session and the convening of the next session;

NOW, THEREFORE, BE IT RESOLVED, That the Senate Facilities and Operations Committee shall have full authority and direction over the authorization and execution of any personal services contracts or subcontracts that necessitate the expenditure of Senate appropriations; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate and the Senate Facilities and Operations Committee be, and they hereby are, authorized to retain such employees as they may deem necessary and that said employees be allowed such rate of pay therefor as the Secretary of the Senate and 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 legislative expenses and expenditures shall be drawn from funds provided therefor; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and hereby is, authorized and directed to have a copy of the Senate Journals of the First Special Session of the 1982 Legislature, together with a suitable index therefor prescribed by the State Printer; and

BE IT FURTHER RESOLVED, That the Senate Facilities and Operations Committee may, as they deem appropriate, authorize out-of-state travel for which members and staff may 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 the Rules Committee is authorized to assign subject matters to standing committees for study during the interims, and the Majority Leader is authorized to create special committees as may be necessary to carry out the functions of the Senate in an orderly manner and appoint members thereto with the approval of the Facilities and Operations Committee; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate collect the keys to the desk and rooms in and surrounding the Senate Chamber, committee rooms, work rooms, lounges, distribution center, bill room, storage rooms and the Sergeant at Arms office, and all other rooms in and adjacent to the Senate Chamber, except the Lieutenant Governor's offices, together with the east and west portions of the first floor of the Legislative Building; the first and fourth floor of the Public Lands Building, and the basement, the first and second floors of the Institutions Building be placed in the custody, care and control of the Senate Facilities and Operations Committee and the Secretary of the Senate; and

BE IT FURTHER RESOLVED, That the Sergeant at Arms be, and he hereby is, directed to see that the Senate Chambers and adjoining rooms, furniture and equipment are clean and in good order; 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 such use of the Senate facilities is permitted upon such terms as the Secretary shall deem proper.

MOTION

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

SENATE RESOLUTION NO. 1982—236

By Senators Hayner, Jones, Bottiger and Fleming:

BE IT RESOLVED, By the Senate, that a committee consisting of three members of the Senate be appointed to notify the House that the Legislature is about to adjourn SINE DIE.

APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of Senate Resolution 1982—236, President Cherberg appointed Senators Fuller, Hemstad and Hansen to notify the House that the Senate is about to adjourn SINE DIE.

MOTION

On motion of Senator Bluechel, the appointments were confirmed.

MOTION

On motion of Senator Bluechel, the Senate returned to the third order of business.

MESSAGE FROM THE GOVERNOR

Office of the Governor, April 10, 1982.

TO THE HONORABLE JOHN A. CHERBERG AND MEMBERS OF THE WASHINGTON STATE SENATE.

You are cordially invited to join me for a brief reception in my office upon adjournment SINE DIE.

With best wishes,

Sincerely,
JOHN SPELLMAN
Governor.

MESSAGES FROM THE HOUSE

April 10, 1982.

Mr. President: In accordance with the provisions in HOUSE CONCURRENT RESOLUTION NO. 53, the House herewith transmits the following listed Senate measures:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3033,
ENGROSSED SENATE BILL NO. 3310,
SECOND SUBSTITUTE SENATE BILL NO. 3775,
REENGROSSED SENATE BILL NO. 3915,
ENGROSSED SENATE BILL NO. 4399,
ENGROSSED SENATE BILL NO. 4402,
REENGROSSED SENATE BILL NO. 4548,
ENGROSSED SENATE BILL NO. 4578,
ENGROSSED SENATE BILL NO. 4585,
SUBSTITUTE SENATE BILL NO. 4586,
SUBSTITUTE SENATE BILL NO. 4609,
ENGROSSED SENATE BILL NO. 4616,
ENGROSSED SENATE BILL NO. 4733,
ENGROSSED SUBSTITUTE SENATE BILL NO. 4944,
SUBSTITUTE SENATE BILL NO. 5006,

ENGROSSED SECOND SUBSTITUTE SENATE JOINT RESOLUTION NO. 111,
 ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 137,
 SENATE CONCURRENT RESOLUTION NO. 145,
 ENGROSSED SENATE CONCURRENT RESOLUTION NO. 147, and the same are herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

April 10, 1982.

Mr. President: The Speaker has signed: HOUSE CONCURRENT RESOLUTION NO. 54, and the same is herewith transmitted.

PATRICIA M. WILLIAMS, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: HOUSE CONCURRENT RESOLUTION NO. 54.

MOTION

On motion of Senator Fleming, the Senate Journal of the Thirtieth Day of the 1982 First Special Session of the Forty-seventh Legislature was approved.

COMMITTEE FROM THE HOUSE NOTIFYING THE SENATE OF ADJOURNMENT SINE DIE

The Sergeant at Arms announced the arrival in the Senate of a committee from the House consisting of Representatives Chandler, Eberle and Salatino. The committee appeared before the bar of the Senate and notified 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 Sergeant at Arms announced the return of the special committee comprised of Senators Bluechel, Goltz and Sellar who were appointed under the provisions of House Concurrent Resolution No. 54. The committee reported they had joined with a like committee from the House and notified the Governor that the Legislature was about to adjourn SINE DIE.

The report was received and the committee was discharged.

REPORT OF SPECIAL COMMITTEE

The Sergeant at Arms announced the return of the special committee comprised of Senators Fuller, Hemstad and Hansen who were appointed under the provisions of Senate Resolution 1982—236. The committee reported they had notified the House that the Senate was about to adjourn SINE DIE.

The report was received and the committee was discharged.

MOTION

At 9:50 p.m., on motion of Senator Jones, the Senate of the 1982 First Special Session of the Forty-seventh Legislature adjourned SINE DIE.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

SENATE JOURNAL

— 1982 —

SECOND SPECIAL SESSION

FORTY-SEVENTH LEGISLATURE

STATE OF WASHINGTON

AT

OLYMPIA, the State Capitol

Convened: June 26, 1982

Adjourned: *SINE DIE* July 2, 1982

Compiled, Edited and Indexed by
SIDNEY R. SNYDER, *Secretary of the Senate*



DOROTHY GREELEY
Minute and Journal Clerk

JOHN A. CHERBERG, *President of the Senate*
SAM C. GUESS, *President Pro Tempore*
GEORGE W. CLARKE, *Vice President Pro Tempore*

SENATE CAUCUS OFFICERS

REPUBLICAN CAUCUS

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Chairman.....JOHN D. JONES
Floor Leader/Vice President
Pro TemporeGEORGE W. CLARKE
Majority WhipALAN BLUECHEL
Vice ChairmanELEANOR LEE

DEMOCRATIC CAUCUS

Minority LeaderR. TED BOTTIGER
Chairman.....GEORGE FLEMING
Assistant Minority LeaderA. N. "BUD" SHINPOCH
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Deputy Secretary
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Sergeant at Arms.....FRED HILDEBRAND
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Minute and Journal ClerkDOROTHY GREELEY

**JOURNAL OF THE SENATE
STATE OF WASHINGTON
--1982--
SECOND SPECIAL SESSION
FORTY-SEVENTH LEGISLATURE**

FIRST DAY

MORNING SESSION

Senate Chamber, Olympia, June 26, 1982.

The Senate was called to order at 9:00 o'clock a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Pullen and Quigg.

The Color Guard, consisting of Pages Hillary Williams and Erick Peckham, presented the Colors. Reverend Charles Loyer, retired pastor of Olympia, offered the prayer.

MESSAGE FROM THE SECRETARY OF STATE

June 24, 1982.

**THE HONORABLE JOHN CHERBERG
PRESIDENT OF THE SENATE
THE LEGISLATURE OF THE STATE OF WASHINGTON
OLYMPIA, WA 98504**

DEAR MR. PRESIDENT:

I, Ralph Munro, Secretary of State of the State of Washington and custodian of the official seal of the State, do hereby certify that the attached copy of the proclamation of the Governor calling an extraordinary session of the Legislature of the State of Washington to convene on the 26th day of June, 1982, is a true, correct and complete copy of the original of said proclamation now on file in this office.

IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of the State of Washington. Done at the Capitol in Olympia on the 24th day of June, 1982.

RALPH MUNRO
Secretary of State

Seal of the State of Washington

PROCLAMATION BY THE GOVERNOR

The state of Washington is in a fiscal and budgetary crisis. Revenues continue to fall short of previously anticipated levels, and will not meet the needs of the state and its people. It is therefore necessary for me to convene the legislature in extraordinary session for the purpose of modifying laws relating to the revenues and expenditures of the state.

NOW, THEREFORE, I, John Spellman, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 and Article III, Section 7 of the State Constitution, do hereby convene the Washington State Legislature in extraordinary session in the Capitol at Olympia at 9:00 a.m. on June 26, 1982.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 24th day of June, A.D., nineteen hundred and eighty-two.

JOHN SPELLMAN
Governor of Washington.

Seal of the State of Washington
By The Governor
RALPH MUNRO
Secretary of State

POINT OF INQUIRY

Senator Rasmussen: "Mr. President, could I inquire as to the date on that proclamation? The reason for my inquiry, Mr. President, is that never, as far as I know, has any member of the legislature received the official call and many of us had to call up the newspaper and find out if it was official. That is why I am inquiring about the date."

President Cherberg: "The proclamation by the Governor was issued the 24th day of June, 1982."

Senator Rasmussen: "24th day of June. We in Tim-buc-tu had a hard time getting back with that short call."

MOTION

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

SENATE RESOLUTION 1982—244

By Senators Hayner, Jones, Bottiger and Fleming:

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

APPOINTMENT OF SPECIAL COMMITTEE

Under provisions of Senate Resolution 1982—244, the President appointed Senators Metcalf, Ridder and Charnley to notify the House that the Senate was organized and ready to transact business.

MOTION

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

MESSAGE FROM THE GOVERNOR

June 26, 1982.

TO THE 47TH LEGISLATURE IN ITS SECOND EXTRAORDINARY SESSION OF 1982

Only twice before in the history of Washington has its legislature been called into a summer session in an election year. And never before in the history of our state has a legislature had to deal with an emergency as profound and protracted as

the budget crisis that has brought the 47th Legislature back to Olympia for its fourth special session.

During the past two weeks, your leadership and I have been meeting regularly in order to lay the foundation for a bipartisan, bicameral solution to the crisis we face. These meetings have been characterized by a tremendous spirit of cooperation, and great progress toward consensus has been the fruit of our labor. It is my fervent hope that this spirit will continue and will ensure a successful session.

Each of us may have a pet plan for resolving this emergency—a plan that reflects our personal philosophies or the desires of our political constituencies. But such concerns must now yield to the spirit of cooperation that has emerged. The likelihood that any individual point of view will find a complete victory in this special session is minimal.

This special session presents the opportunity to mitigate the across-the-board chaos of an 8.2 percent reduction in state services. The executive order imposing those cuts defined the "worst case;" it is the fourth such order I have had to issue in compliance with state law.

Some improvement of this situation is better than no improvement. Any solution is better than no solution.

I assure you of my support for any solution that, together, we are able to achieve. And I wish you Godspeed in your crucial deliberations.

Signed:
JOHN SPELLMAN

INTRODUCTION AND FIRST READING

SENATE BILL NO. 5008, by Senators Peterson and Talley:

AN ACT Relating to gambling; and amending section 1, chapter 139, Laws of 1981 and RCW 9.46.020.

Referred to Committee on Commerce and Labor.

SENATE BILL NO. 5009, by Senators Charnley, Woody, Conner, Goltz, Talmadge, Shinpoch, Haley and Williams:

AN ACT Relating to retail sales and use taxes; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 5010, by Senator Talley:

AN ACT Relating to chore services; making an appropriation; and declaring an emergency.

Referred to Committee on Ways and Means.

COMMITTEE FROM THE HOUSE

A committee from the House of Representatives consisting of Representatives Barr, Greengo and Rinehart appeared before the bar of the Senate and notified the Senate the House was organized and ready to transact business.

The report was received and the committee retired to the House of Representatives.

REPORT OF SPECIAL COMMITTEE

The Senate committee consisting of Senators Metcalf, Ridder and Charnley appointed under provisions of Senate Resolution 1982-244 to notify the House that the Senate was organized and ready to transact business reported back that the House had been notified.

The report was received and the committee was discharged.

MOTION

On motion of Senator Clarke, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

June 26, 1982.

Mr. President: The House has adopted: HOUSE CONCURRENT RESOLUTION NO. 55, and the same is herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 55, by Representatives Nelson (G.) and Ehlers:

Notifying the governor that the legislature is organized and ready to transact business.

MOTIONS

On motion of Senator Clarke, the rules were suspended, House Concurrent Resolution No. 55 was advanced to second reading and read the second time in full.

On motion of Senator Clarke, the rules were suspended, House Concurrent Resolution No. 55 was advanced to third reading, the second reading considered the third and the resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of House Concurrent Resolution No. 55, the President appointed Senators Hayner, Jones and Fleming to join with a like committee from the House of Representatives to notify the Governor that the Legislature is organized and ready to transact business.

MOTION

On motion of Senator Clarke, the appointments were confirmed.

REPORT OF SPECIAL COMMITTEE

The Senate committee appointed under the provisions of House Concurrent Resolution No. 55 to join with a like committee from the House of Representatives to notify the Governor that the Legislature is organized and ready to transact business reported back that the Governor had been notified.

The report was received and the committee was discharged.

MOTION

At 9:34 a.m., on motion of Senator Clarke, the Senate recessed until 3:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 3:30 p.m.

MOTION

At 3:31 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 4:48 p.m.

MOTION

At 4:49 p.m., on motion of Senator Clarke, the Senate adjourned until 1:30 p.m., Sunday, June 27, 1982.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

SECOND DAY

AFTERNOON SESSION

Senate Chamber, Olympia, Sunday, June 27, 1982.

The Senate was called to order at 1:30 p.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Hillary Williams and Eric Peckham, presented the Colors. Reverend Charles Loyer, retired pastor of Olympia, offered the prayer.

MOTION

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

MESSAGE FROM THE HOUSE

June 26, 1982.

Mr. President: The Speaker has signed: HOUSE CONCURRENT RESOLUTION NO. 55, and the same is herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 5011, by Senator Peterson:

Extending state route 530.

Referred to Committee on Transportation.

SIGNED BY THE PRESIDENT

The President signed: HOUSE CONCURRENT RESOLUTION NO. 55.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 151, by Senators Hayner, Jones, Bottiger and Fleming:

Limiting subject matter during 1982 Second Special Session of the 47th Legislature, and setting adjournment date.

MOTIONS

On motion of Senator Clarke, the rules were suspended, Senate Concurrent Resolution No. 151 was advanced to second reading and read the second time in full.

POINT OF INQUIRY

Senator Rasmussen: "Senator Clarke, as I read this resolution and before you advance it to third reading it might need an amendment. It says that 'the subject matter to be considered during this 1982 second special session of the forty-seventh legislature be limited to the following: budget; revenue;' and then it goes on to say 'measures which will aid in reducing expenditures' and it says nothing about

increased taxes. It was my understanding that Governor Spellman was insisting on fifty percent reduction in expenditures and fifty percent increase in taxes. Do you think this needs and amendment to clarify it?"

Senator Clarke: "Senator Rasmussen, I believe that what it says 'revenue measures' that that would cover the items with which you are concerned."

Senator Rasmussen: "It only speaks of reducing expenditures in the second paragraph."

Senator Clarke: "It says it 'shall be limited to budget; revenue;' and then there is a semicolon 'measures which will aid in reducing expenditures.' So that I don't think that 'reducing expenditures' would be construed to modify the word 'revenue'."

Senator Rasmussen: "Thank you. If it is clear to you it wasn't very clear to me."

Senator Clarke: "That, I am sure, is the intent."

MOTION

On motion of Senator Clarke, the rules were suspended, Senate Concurrent Resolution No. 151 was advanced to third reading, the second reading considered the third and the resolution was placed on final passage.

REMARKS BY SENATOR HAYNER

Senator Hayner: "Mr. President and ladies and gentlemen of the Senate. This is in order to have a very thorough and well-considered manner in which we conduct this session and to very carefully limit consideration in this session to those things which relate to budget and revenue and the statutes which might be necessary to change to make that possible.

"We know that we have a very critical situation in the state and we also know that the time that we have to solve them is very limited so it is our hope that we can conclude this before July 1 so that those things which we must do will take effect and we will have one whole year to take the advantage of them."

SENATE CONCURRENT RESOLUTION NO. 155, having received the constitutional majority, was declared passed.

MOTION

At 1:40 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 3:50 p.m.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 5015, by Senators Shinpooh, Scott and McDermott:
Increasing the insurance premiums tax.

MOTIONS

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5015 was advanced to second reading and read the second time in full.

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5015 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Bottiger: "Senator Scott, as we understand this, this brings the tax on insurance premiums to a point of approximately two-thirds of the national average. Is that information correct?"

Senator Scott: "The national average of course, may have changed as a result of legislative action the last two months. It was one point two six for domestic insurers and a comparable level above our average for foreign insurance. So I guess it would be more accurate to say that our tax would now be nine-tenths of the national average."

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5015, and the bill passed the Senate by the following vote: Yeas, 40; nays, 9.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Deccio, Fleming, Fuller, Gaspard, Goltz, Gould, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McDermott, Metcalf, Moore, Peterson, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talley, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody, Zimmerman—40.

Voting nay: Senators Craswell, Gallagher, Guess, Lysen, McCaslin, Newhouse, Patterson, Pullen, von Reichbauer—9.

SENATE BILL NO. 5015, having received the 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 BILL NO. 5014, by Senators Shinpoch, Gould, Scott and McDermott:

Modifying the taxation of electrical energy.

MOTIONS

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5014 was advanced to second reading and read the second time in full.

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5014 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. 5014, and the bill passed the Senate by the following vote: Yeas, 33; nays, 16.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Fleming, Fuller, Gaspard, Goltz, Gould, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, Lysen, McDermott, Metcalf, Peterson, Rasmussen, Ridder, Scott, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody, Zimmerman—33.

Voting nay: Senators Craswell, Deccio, Gallagher, Guess, Hansen, Hughes, Hurley, McCaslin, Moore, Newhouse, Patterson, Pullen, Quigg, Sellar, Talley, von Reichbauer—16.

SENATE BILL NO. 5014, having received the 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 BILL NO. 5013, by Senators Shinpoch, Gould and McDermott:
Taxing the consumption and use of electrical energy.

MOTIONS

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5013 was advanced to second reading and read the second time in full.

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5013 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. 5013, and the bill passed the Senate by the following vote: Yeas, 28; nays, 21.

Voting yea: Senators Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Fleming, Fuller, Gaspard, Gould, Hayner, Hemstad, Jones, Kiskaddon, Lee, Lysen, McDermott, Metcalf, Peterson, Ridder, Scott, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—28.

Voting nay: Senators Bauer, Craswell, Deccio, Gallagher, Goltz, Guess, Haley, Hansen, Hughes, Hurley, McCaslin, Moore, Newhouse, Patterson, Pullen, Quigg, Rasmussen, Sellar, Talley, von Reichbauer, Zimmerman—21.

SENATE BILL NO. 5013, having received the 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 4:08 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 4:27 p.m.

At 4:28 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 4:32 p.m.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 5016, by Senators Scott and McDermott:
Delaying inventory tax credit for 1983.

MOTIONS

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5016 was advanced to second reading and read the second time in full.

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5016 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. 5016, and the bill passed the Senate by the following vote: Yeas, 29; nays, 20.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Clarke, Conner, Fleming, Fuller, Gaspard, Gould, Haley, Hayner, Hemstad, Hughes, Hurley, Jones,

Kiskaddon, Lee, McDermott, Metcalf, Newhouse, Patterson, Ridder, Scott, Sellar, Shinpoch, Talley, Williams, Zimmerman—29.

Voting nay: Senators Charnley, Craswell, Deccio, Gallagher, Goltz, Guess, Hansen, Lysen, McCaslin, Moore, Peterson, Pullen, Quigg, Rasmussen, Talmadge, Vognild, von Reichbauer, Wilson, Wojahn, Woody—20.

SENATE BILL NO. 5016, having received the 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 Clarke, all measures passed by the Senate today were ordered immediately transmitted to the House.

At 4:40 p.m., on motion of Senator Clarke, the Senate recessed until 6:30 p.m.

EVENING SESSION

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

MOTION

On motion of Senator Clarke, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

June 27, 1982.

Mr. President: The House has passed:

HOUSE BILL NO. 1245,

HOUSE BILL NO. 1247, and the same are herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1245, by Committee on Ways and Means and Representative Chandler:

Extending the timber tax to timber harvested from public lands.

MOTIONS

On motion of Senator Clarke, the rules were suspended. House Bill No. 1245 was advanced to second reading and read the second time in full.

On motion of Senator Clarke, the rules were suspended, House Bill No. 1245 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

On motion of Senator Peterson, Senator Talley was excused.

On motion of Senator Clarke, copies of the roll call taken on Engrossed Senate Bill No. 4399 which was a timber tax equalization measure considered in the first special session of the forty-seventh legislature on April 1, 1982 were distributed to each member to familiarize the member of his previous vote.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1245, and the bill passed the Senate by the following vote: Yeas, 32; nays, 12; absent or not voting, 4; excused, 1.

Voting yea: Senators Bauer, Bluechel, Bottiger, Charnley, Clarke, Conner, Fleming, Fuller, Gaspard, Goltz, Gould, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McDermott, Metcalf, Moore, Peterson, Rasmussen, Ridder, Scott, Shinpoch, Talmadge, Vognil, Williams, Wojahn, Woody—32.

Voting nay: Senators Benitz, Guess, Hansen, McCaslin, Newhouse, Patterson, Pullen, Quigg, Sellar, von Reichbauer, Wilson, Zimmerman—12.

Absent or not voting: Senators Craswell, Deccio, Gallagher, Haley—4.

Excused: Senator Talley—1.

HOUSE BILL NO. 1245, having received the constitutional majority was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I was detained during the dinner hour and was late to the session missing the vote on House Bill 1245.

I would like it to show in the Journal that had I voted on the measure, my vote would have been "no" on House Bill 1245.

Signed: SENATOR ART GALLAGHAN.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1247, by Committee on Ways and Means and Representatives Chandler:

Modifying repayment schedules under the economic assistance act.

MOTIONS

On motion of Senator Bluechel, Senators Craswell and Haley were excused.

On motion of Senator Clarke, the rules were suspended, House Bill No. 1247 was advanced to second reading and read the second time in full.

On motion of Senator Clarke, the rules were suspended, House Bill No. 1247 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. 1247, and the bill passed the Senate by the following vote: Yeas, 32; nays, 14; excused, 3.

Voting yea: Senators Benitz, Bottiger, Charnley, Clarke, Conner, Fleming, Fuller, Gaspard, Goltz, Gould, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McDermott, Metcalf, Moore, Newhouse, Peterson, Rasmussen, Ridder, Scott, Shinpoch, Talmadge, Vognil, Williams, Wilson, Wojahn, Woody—32.

Voting nay: Senators Bauer, Bluechel, Deccio, Gallagher, Guess, Hansen, Hayner, McCaslin, Patterson, Pullen, Quigg, Sellar, von Reichbauer, Zimmerman—14.

Excused: Senators Craswell, Haley, Talley—3.

HOUSE BILL NO. 1247, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

On Sunday, June 27, 1982 I was delayed getting back to the session following the dinner hour break and missed voting on House Bill 1245 and House Bill 1247.

Please enter that my vote on House Bill No. 1245 would have been "nay" and House Bill 1247 would have been "aye".

Signed: SENATOR ELLEN CRASWELL.

MOTION

At 6:55 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 7:08 p.m.

MOTION

On motion of Senator Clarke, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

June 27, 1982.

Mr. President: The House has passed:

HOUSE BILL NO. 1243,

HOUSE BILL NO. 1248,

HOUSE BILL NO. 1249, and the same are herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1243, by Committee on Revenue and Representatives Greengo, Thompson, Ellis, Heck, Patrick, Becker, Barnes, King (J), Berleen, Armstrong, Erak, Martinis, Gallagher, Hine, Isaacson, McCormick, Pruitt, Ruse, Sherman, Van Dyken, Maxie, and others:

Exempting the purchase of food by food banks from sales and use tax.

MOTIONS

On motion of Senator Clarke, the rules were suspended, House Bill No. 1243 was advanced to second reading and read the second time in full.

On motion of Senator Clarke, the rules were suspended, House Bill No. 1243 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

POINT OF INQUIRY

Senator Bottiger: "Senator Scott, in some cases the Salvation Army or some other charitable organizations do give food away. There is no effort whatsoever to collect for it but there is a contribution basket or pot at the place of worship or the place of distribution of the food. Does the mere existence of that pot or that contribution basket render that organization subject to the sales tax, in your opinion?"

Senator Scott: "No. It is the intent of this legislation that the food acquired or bought under those circumstances not be taxable nor the organization engaged to the extent that it is that specific operation charitable food donations."

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1243, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, McDermott, Metcalf, Moore, Newhouse, Patterson, Peterson, Pullen, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—47.

Absent or not voting: Senator Deccio—1.

Excused: Senator Talley—1.

HOUSE BILL NO. 1243, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I wish the record to show that I had intended to vote "yes" on House Bill 1243. I was off the floor and was unable to vote.

Signed: SENATOR ALEX DECCIO
14th District - Senate

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1248, by Committee on Ways and Means and Representative Chandler:

Modifying the public utility tax rate of natural gas distributors.

MOTIONS

On motion of Senator Clarke, the rules were suspended, House Bill No. 1248 was advanced to second reading and read the second time in full.

On motion of Senator Clarke, the rules were suspended, House Bill No. 1248 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. 1248, and the bill passed the Senate by the following vote: Yeas, 36; nays, 12; excused, 1.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Fleming, Fuller, Gaspard, Goltz, Gould, Haley, Hayner, Hemstad, Hughes, Jones, Kiskaddon, Lee, Lysen, McDermott, Metcalf, Peterson, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody, Zimmerman—36.

Voting nay: Senators Craswell, Deccio, Gallagher, Guess, Hansen, Hurley, McCaslin, Moore, Newhouse, Patterson, Pullen, von Reichbauer—12.

Excused: Senator Talley—1.

HOUSE BILL NO. 1248, having received the 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

HOUSE BILL NO. 1249, by Committee on Ways and Means and Representative Struthers:

Modifying provisions relating to the nursing home auditing and cost reimbursement system.

MOTIONS

On motion of Senator Clarke, the rules were suspended, House Bill No. 1249 was advanced to second reading and read the second time in full.

On motion of Senator Clarke, the rules were suspended, House Bill No. 1249 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Rasmussen: "Senator Fleming, in your study of nursing homes and the rates that we . . . you recommended that certain rates be made after August . . . were made and this particularly would cut into the food budget. How does this fit in with your study?"

Senator Fleming: "Senator, I have not had an opportunity to talk to the nursing home people but the information I have some question of the cost of living increase is not as much a question as to whether they lose both of them from what I understand. There are two dates in there.

"I think the bigger question is that before we had the nursing home measures, the rates were set by the department and not in statute. I think if we were to change that it then would really have an effect on that service. With this you just take out the automatic increase, cost of living increase, and let the department deal with that but the rates are still set in statute as far as I know so I don't think there will be as much of an affect as there would be if we took the rates out of the statutes and allowed the department to set them themselves then we might be back to that old ball game we used to be in and have a lot more problems."

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1249, and the bill passed the Senate by the following vote: Yeas, 36; nays, 11; absent or not voting, 1; excused, 1.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lysen, McDermott, Metcalf, Patterson, Peterson, Quigg, Ridder, Scott, Sellar, Williams, Wilson, Woody, Zimmerman—36.

Voting nay: Senators Guess, Lee, Moore, Newhouse, Pullen, Rasmussen, Shinpoch, Talmadge, Vognild, von Reichbauer, Wojahn—11.

Absent or not voting: Senator McCaslin—1.

Excused: Senator Talley—1.

HOUSE BILL NO. 1249, having received the 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 7:25 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 7:33 p.m.

MOTION

At 7:34 p.m., on motion of Senator Clarke, the Senate adjourned until 9:00 a.m., Monday, June 28, 1982.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

THIRD DAY

MORNING SESSION

Senate Chamber, Olympia, Monday, June 28, 1982.

The Senate was called to order at 9:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators McDermott, Pullen and Rasmussen. On motion of Senator Ridder, Senators McDermott and Rasmussen were excused.

The Color Guard, consisting of Pages Hillary Williams and Walt Kiskaddon, presented the Colors. Reverend Charles Loyer, retired pastor of Olympia, offered the prayer.

MOTION

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

MESSAGE FROM THE HOUSE

June 27, 1982.

Mr. President: The House has passed: HOUSE BILL NO. 1246, and the same is herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

June 27, 1982.

Mr. President: The House has passed:

SENATE BILL NO. 5014,

SENATE BILL NO. 5015, and the same are herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

June 27, 1982.

Mr. President: The House has adopted: SENATE CONCURRENT RESOLUTION NO. 151, and the same is herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

June 27, 1982.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 1243,

HOUSE BILL NO. 1245,

HOUSE BILL NO. 1247,

HOUSE BILL NO. 1248,

HOUSE BILL NO. 1249, and the same are herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:

HOUSE BILL NO. 1243,

HOUSE BILL NO. 1245,

HOUSE BILL NO. 1247,

HOUSE BILL NO. 1248,

HOUSE BILL NO. 1249.

SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 5014,

SENATE BILL NO. 5015,

SENATE CONCURRENT RESOLUTION NO. 151.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 5017, by Senators Vognild, Quigg, Talmadge, Shinpoch, Charnley, Bauer, Goltz, Conner, Hughes, Hurley, Ridder, Gaspard, Williams and Talley:

AN ACT Relating to unemployment insurance; adding a new chapter to Title 50 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce and Labor.

SENATE BILL NO. 5018, by Senator Moore:

AN ACT Relating to public employment; amending section 3, chapter 54, Laws of 1982 1st ex. sess. (uncodified); amending section 7, chapter 54, Laws of 1982 1st ex. sess. (uncodified); amending section 10, chapter 54, Laws of 1982 1st ex. sess. (uncodified); amending section 12, chapter 54, Laws of 1982 1st ex. sess. (uncodified); creating a new section; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 5019, by Senators Metcalf, Lysen, Gallagher, von Reichbauer, Craswell, Haley and Hurley:

AN ACT Relating to public officials; and adding a new section to chapter 43.03 RCW.

Referred to Committee on Ways and Means.

SENATE BILL NO. 5020, by Senators McCaslin and Metcalf:

AN ACT Relating to excise taxes; amending section 28, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.____; amending section 29, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.12.____; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE JOINT MEMORIAL NO. 132, by Senator Gallagher:

Requesting congressional assistance in continued management and monitoring of salmon and steelhead trout harvest for treaty Indians.

Referred to Committee on Natural Resources.

SENATE JOINT MEMORIAL NO. 133, by Senators Lysen, Talmadge, Williams, Moore, Hurley, Ridder, Hughes and Bauer:

Requesting the President to propose to the Soviet Union a mutual freeze on nuclear weapons.

Referred to Committee on Constitutions and Elections.

SENATE JOINT RESOLUTION NO. 148, by Senators Williams, Conner and Charnley:

Amending state constitution to allow imposition of an income tax.

Referred to Committee on Ways and Means.

MOTION

At 10:30 a.m., on motion of Senator Clarke, the Senate was declared to be at ease.

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

MOTION

On motion of Senator Clarke, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

June 28, 1982.

Mr. President: The Speaker has signed:
 SENATE BILL NO. 5014,
 SENATE BILL NO. 5015,
 SENATE CONCURRENT RESOLUTION NO. 151, and the same are here-
 with transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

MOTION

On motion of Senator Clarke, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 5021, by Senator Scott:
 Modifying appropriations for the 1981-83 fiscal biennium.

MOTIONS

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5021 was advanced to second reading and read the second time in full.

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5021 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. 5021, and the bill passed the Senate by the following vote: Yeas, 37; nays, 9; absent or not voting, 1; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Charnley, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, Metcalf, Moore, Newhouse, Patterson, Quigg, Scott, Sellar, Talley, von Reichbauer, Wilson, Wojahn, Zimmerman—37.

Voting nay: Senators Goltz, Hughes, Peterson, Ridder, Shinpoch, Talmadge, Vogndild, Williams, Woody—9.

Absent or not voting: Senator Pullen—1.

Excused: Senators McDermott, Rasmussen—2.

SENATE BILL NO. 5021, having received the 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 Clarke, Senate Bill No. 5021 was ordered immediately transmitted to the House.

INTRODUCTION OF GUESTS

President Cherberg announced the presence on the Senate rostrum of Senator Jose Guillermo of Mexico and Marcus Freiling, a student from Germany. The guests were introduced to the members of the Senate.

MOTION

At 12:25 p.m., on motion of Senator Clarke, the Senate was declared to be at case.

The President called the Senate to order at 3:10 p.m.

MOTION

At 3:10 p.m., on motion of Senator Jones, the Senate recessed until 7:30 p.m.

EVENING SESSION

The President called the Senate to order at 7:30 p.m.

MOTION

At 7:31 p.m., on motion of Senator Clarke, the Senate was declared to be at case.

The President called the Senate to order at 8:15 p.m.

MOTION

At 8:15 p.m., on motion of Senator Jones, the Senate adjourned until 11:00 a.m., Tuesday, June 29, 1982.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia, Tuesday, June 29, 1982.

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 Pullen, Sellar and von Reichbauer.

The Color Guard, consisting of Pages Walt Kiskaddon and Hillary Williams, presented the Colors. Reverend Charles Loyer, retired pastor of Olympia, offered the prayer.

MOTION

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

MOTION

At 11:03 a.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 11:56 a.m.

MOTION

At 11:57 a.m., on motion of Senator Clarke, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 2:30 p.m.

MOTION

At 2:31 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 6:05 p.m.

MOTION

At 6:06 p.m., on motion of Senator Jones, the Senate was declared to be at ease until 8:00 p.m.

The President called the Senate to order at 8:00 p.m.

MOTION

At 8:03 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 8:15 p.m.

MOTION

At 8:18 p.m., on motion of Senator Jones, the Senate adjourned until 9:30 a.m., Wednesday, June 30, 1982.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wednesday, June 30, 1982.

The Senate was called to order at 9:30 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 Hillary Williams and Walt Kiskaddon, presented the Colors. Reverend Charles Loyer, retired pastor of Olympia, offered the prayer.

MOTION

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

MOTION

At 9:33 a.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 11:00 a.m.

MOTION

At 11:00 a.m., on motion of Senator Clarke, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

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

MOTION

At 1:31 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 4:27 p.m.

MOTION

At 4:28 p.m., on motion of Senator Clarke, the Senate recessed until 7:00 p.m.

EVENING SESSION

The President called the Senate to order at 7:00 p.m.

MOTION

At 7:01 p.m., on motion of Senator Jones, the Senate was declared to be at ease.

The President called the Senate to order at 8:30 p.m.

MOTION

Senator Hayner moved the Senate be at ease subject to the call of the President.

Senator Rasmussen objected.
Debate ensued.

MOTION

Senator Rasmussen moved the Senate adjourn until 9:30 a.m., Thursday, July 1, 1982, due to a lack of a quorum.

Senators Jones, Newhouse and Hayner, demanded a Call of the Senate.
Senator Bottiger demanded a roll call.

MOTIONS

On motion of Senator Goltz, Senator Talley was excused.

On motion of Senator Jones, Senator Pullen was excused.

The President declared the question before the Senate to be the roll call on the demand for a Call of the Senate.

ROLL CALL

The Secretary called the roll and the demand for the Call of the Senate was sustained by the following vote: Yeas, 27; nays, 13; absent or not voting, 7; excused, 2.

Voting yea: Senators Benitz, Bluechel, Bottiger, Craswell, Deccio, Fleming, Fuller, Gallagher, Goltz, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, McCaslin, Metcalf, Newhouse, Patterson, Peterson, Quigg, Rasmussen, Scott, Sellar, von Reichbauer, Wilson—26.

Voting nay: Senators Buær, Charnley, Gaspard, Hansen, Hughes, Hurley, McDermott, Moore, Ridder, Talmadge, Vognild, Wojahn Woody—13.

Absent or not voting: Senators Clarke, Conner, Lee, Lysen, Shinpoch, Williams, Zimmerman—7.

Excused: Senators Pullen, Talley—2.

PARLIAMENTARY INQUIRY

Senator Rasmussen: "Mr. President, who are the members that are not present?"

REPLY BY THE PRESIDENT

President Cherberg: "The Secretary will read the names of the unexcused members."

The Secretary: "Mr. President, Senators Clarke, Conner, Lee, Lysen, Shinpoch, Williams and Zimmerman have not answered the roll. Senators Pullen and Talley have previously been excused."

MOTION

At 9:46 p.m., Senator Rasmussen made the following parliamentary inquiry:

PARLIAMENTARY INQUIRY

Senator Rasmussen: "Mr. President, what Senators are absent with leave?"

REPLY BY THE PRESIDENT

President Cherberg: "Senator Lee is the only unexcused member. Senators Talley and Pullen were excused previously."

MOTION

At 10:25 p.m., on motion of Senator Rasmussen, the Senate dispensed with the Call of the Senate.

At 10:27 a.m., Senator Rasmussen renewed his motion to adjourn until 9:30 a.m., Thursday, July 1, 1982.

Senator Rasmussen demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the motion by Senator Rasmussen that the Senate adjourn until 9:30 a.m., Thursday, July 1, 1982.

ROLL CALL

The Secretary called the roll and the motion failed by the following vote: Yeas, 12; nays, 34; absent or not voting, 1; excused, 2.

Voting yea: Senators Bauer, Conner, Gaspard, Hansen, Hughes, Hurley, Lysen, Moore, Peterson, Rasmussen, Williams, Wojahn—12.

Voting nay: Senators Benitz, Bluechel, Bottiger, Charnley, Clarke, Craswell, Deccio, Fleming, Fuller, Gallagher, Goltz, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, McDermott, Metcalf, Newhouse, Patterson, Quigg, Ridder, Scott, Sellar, Talmadge, Vognild, von Reichbauer, Wilson, Woody, Zimmerman—34.

Absent or not voting: Senator Shinpoch—1.

Excused: Senators Pullen, Talley—2.

MOTION

At 11:27 p.m., on motion of Senator Clarke, the Senate was declared to be ease.

The President called the Senate to order at 12:10 a.m.

MOTION

On motion of Senator Clarke, the Senate commenced consideration of the House Message on Senate Bill No. 5021.

MESSAGE FROM THE HOUSE

June 28, 1982.

Mr. President: The House has passed SENATE BILL NO. 5021, with the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 4, chapter 340, Laws of 1981 as last amended by section 2, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation	\$	(1,303,000)
		<u>1,149,000</u>

The appropriation in this section is subject to the following condition((s and)) or limitation((s)): ((+)) \$50,000 is provided solely for the study of duplication of courses and programs in higher education. The study shall include, but not be limited to: (a) Undergraduate, graduate, professional, vocational, research, and extension programs; and (b) programs offered by universities, colleges, community colleges, and vocational-technical institutes. The committee may contract with the council for postsecondary education to perform this study.

~~((2) \$125,000 is provided solely for a grant to study the structure and management of education systems, kindergarten through higher education, in the manner outlined in Recngrossed Senate Bill No. 3609. Of this amount, \$25,000 is provided directly for the study and up to \$100,000 may be used as matching funds for private moneys received for the same purpose.))~~

Sec. 2. Section 5, chapter 340, Laws of 1981 as last amended by section 3, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund Appropriation \$ ~~((1,145,000))~~
1,116,000

Sec. 3. Section 6, chapter 340, Laws of 1981 as last amended by section 4, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE STATE ACTUARY

General Fund Appropriation \$ ~~((287,000))~~
280,000

Sec. 4. Section 7, chapter 340, Laws of 1981 as last amended by section 5, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATUTE LAW COMMITTEE

General Fund Appropriation \$ ~~((4,147,000))~~
4,043,000

Sec. 5. Section 8, chapter 340, Laws of 1981 as last amended by section 6, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPREME COURT

General Fund Appropriation \$ ~~((5,630,000))~~
5,522,000

The appropriation in this section is subject to the following condition or limitation: \$1,325,000 is provided solely for indigent appeal cases.

Sec. 6. Section 9, chapter 340, Laws of 1981 as last amended by section 7, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LAW LIBRARY

General Fund Appropriation \$ ~~((1,608,000))~~
1,568,000

The appropriation in this section is subject to the following condition or limitation: All nonstate agency users of the Westlaw system shall be charged a service fee sufficient to cover the costs of their usage.

Sec. 7. Section 10, chapter 340, Laws of 1981 as last amended by section 8, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund Appropriation \$ ~~((7,720,000))~~
7,527,000

The appropriation in this section is subject to the following condition or limitation: \$1,273,000 is provided solely for lease and associated costs for Division I relocation, and no other moneys may be expended for these purposes.

Sec. 8. Section 11, chapter 340, Laws of 1981 as last amended by section 9, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund Appropriation \$ ~~((10,295,000))~~
10,222,000

General Fund—Judiciary Education Account Appropriation \$ 359,000

Total Appropriation \$ ~~((10,654,000))~~
10,581,000

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

(1) A maximum of \$8,185,000 of the general fund appropriation may be spent for the superior court judges, including prior claims. Of this amount, \$~~((310,000))~~ 280,000 is provided solely for criminal cost bills, including prior claims; \$300,000 is provided solely for mandatory arbitration costs, including prior claims; and \$114,000 is provided solely for judges pro tempore for the superior courts. The administrator for the courts shall authorize and approve all such expenditures.

(2) Effective July 1, 1982, costs associated with the operation of the judicial council shall be borne by the administrator for the courts.

Sec. 9. Section 12, chapter 340, Laws of 1981 as last amended by section 10, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE JUDICIAL COUNCIL

General Fund Appropriation	\$	((+29,000))
		<u>126,000</u>

The appropriation in this section is subject to the following condition or limitation: \$~~((+29,000))~~ 126,000 is provided solely for fiscal year 1982.

Sec. 10. Section 13, chapter 340, Laws of 1981 as last amended by section 11, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR

General Fund Appropriation—State	\$	((3,099,000))
		<u>3,022,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$2,851,000 of the state general fund appropriation may be spent for executive operations.

(2) A maximum of \$193,000 of the state general fund appropriation may be spent for extradition expenses to carry out the provisions of RCW 10.34.030 providing for the return of fugitives by the governor, including prior claims and for extradition-related legal services as determined by the attorney general.

(3) A maximum of \$151,000 of the state general fund appropriation is provided solely for mansion maintenance, and no other moneys may be expended for this purpose.

(4) A maximum of \$1,000 of the state general fund appropriation may be spent for implementation of the corporate responsibilities award program under which appropriate recognition shall be awarded by the governor to those private businesses or corporations which contribute at least two percent of their before-tax profit to programs which result in a reduction in state government costs, especially those programs which aid the poor and infirm.

Sec. 11. Section 14, chapter 340, Laws of 1981 as last amended by section 12, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE GOVERNOR—SPECIAL APPROPRIATIONS

General Fund Appropriation—State	\$	((+2,569,000))
		<u>112,515,000</u>
General Fund Appropriation—Federal	\$	20,446,000
Special Fund Salary and Insurance Contribution		
Increase Revolving Fund Appropriation	\$	40,972,000
Total Appropriation	\$	((+73,987,000))
		<u>173,933,000</u>

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

(1) A maximum of ~~\$(2,180,000)~~ 2,126,000 is for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency.

(2) (a) A maximum of \$100,984,000 of general fund moneys (including \$15,284,000 in federal funds) may be expended to implement salary increases, effective October 1, 1981, averaging 7.5% for higher education classified employees and 7.2% for commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board); and effective June 30, 1983, a salary increase averaging 7.0% for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board): PROVIDED, That the October 1, 1981, salary increase for higher education classified employees and state personnel board classified and exempt employees shall implement the salary ranges adopted by the higher education and state personnel boards resulting from the 1980 salary survey (catch-up results): PROVIDED, That increases granted in this subsection for higher education faculty and administrative exempt employees are inclusive of increments: PROVIDED FURTHER, That exclusive of merit pool and Washington state university (143) increase funds no higher education institution or community college district may grant from any fund source whatsoever any salary increases greater than that provided in this subsection.

(b) A maximum of \$29,851,000 of general fund moneys (including \$5,162,000 in federal funds) may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$22,339,000 of this amount (including \$3,947,000 in federal funds) may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$7,512,000 of this amount (including \$1,215,000 in federal funds) may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee.

(c) A maximum of \$31,440,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect salary increases for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board) calculated in accordance with the procedures outlined in subsection (2)(a) of this section.

(d) A maximum of \$9,532,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$7,289,000 of this amount may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from

\$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$2,243,000 of this amount may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee. Any moneys resulting from a dividend or refund attributable to the experience of an insurance or health care plan calculated at the end of the contract year shall not be used to increase employee insurance benefits over the level of services provided on April 20, 1982.

(e) To facilitate payment of state employee salary increases from special funds and to facilitate payment of state employee insurance benefit increases from special funds, the state treasurer is directed to transfer sufficient income from each special fund to the special fund salary and insurance contribution increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

(f) Notwithstanding any other provision of this subsection (2), Walla Walla community college may fund additional actual increments or their equivalents in salaries for each year of the biennium to equalize salaries to the state-wide average salaries as reflected by the average base salary of the annually contracted professional personnel of the Washington community colleges.

Sec. 12. Section 15, chapter 340, Laws of 1981 as last amended by section 13, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LIEUTENANT GOVERNOR

General Fund Appropriation	\$	((+97,000))
		<u>192,000</u>

Sec. 13. Section 16, chapter 340, Laws of 1981 as last amended by section 14, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund Appropriation	\$	((3,730,000))
		<u>3,674,000</u>

Archives and Records Management Account Appropria- tion	\$	1,135,000
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Total Appropriation	\$	((4,865,000))
		<u>4,809,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$923,000 is provided solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising of state measures, and the publication and distribution of the voters and candidates pamphlet.

(2) \$559,000 is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures.

(3) \$24,000 is provided solely for costs associated with redistricting.

Sec. 14. Section 17, chapter 340, Laws of 1981 as amended by section 18, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS, THE COMMISSION ON ASIAN-AMERICAN AFFAIRS, AND THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

Commission on Mexican-American Affairs		
General Fund Appropriation	\$	((+105,000))
		<u>102,000</u>

Commission on Asian-American Affairs		
General Fund Appropriation	\$	((+105,000))
		<u>102,000</u>

Governor's Office of Indian Affairs

General Fund Appropriation	\$	((105,000))
		<u>102,000</u>
Total Appropriation	\$	((315,000))
		<u>306,000</u>

The appropriations in this section are subject to the following condition and limitation: The position of executive director for each commission or office shall be retained. The agencies for which appropriations are provided by this section shall jointly fund a common secretarial/clerical pool and consolidate their respective office spaces upon expiration of current lease agreements.

Sec. 15. Section 19, chapter 340, Laws of 1981 as last amended by section 18, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE AUDITOR

General Fund Appropriation—State	\$	((1,849,000))
		<u>1,803,000</u>
General Fund Appropriation—Federal	\$	352,000
General Fund Appropriation—Private/Local	\$	48,000
Motor Vehicle Fund Appropriation	\$	267,000
Auditing Services Revolving Fund Appropriation	\$	5,265,000
Total Appropriation	\$	((7,781,000))
		<u>7,735,000</u>

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

(1) The division of municipal corporations shall give high priority to examining the accuracy of local school district reporting of staff mix and enrollment data for state reimbursement purposes. Beginning with the 1981-82 school year, any significant inaccuracies shall be reported to the attorney general and the superintendent of public instruction. The superintendent shall take action to recover any overpayment which results from the reporting of inaccurate data.

(2) No general fund moneys may be expended for the training of municipal auditors or other local personnel.

(3) Legal costs incurred by the attorney general to insure compliance with the findings of the state auditor in state agency audits shall be charged to the agency that received the audit.

(4) The total of all billings submitted to state agencies shall reflect a 10.1% reduction from the original budget preparation estimates submitted to the ways and means committee of the senate and house of representatives in the 1981 regular session of the legislature. Such reduction shall be offset by an amount not to exceed \$338,000 which reflects the impact of salary and insurance costs not provided to the Auditing Services Revolving Fund in the original budget.

Sec. 16. Section 20, chapter 340, Laws of 1981 as amended by section 20, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund Appropriation	\$	((3,956,000))
		<u>3,857,000</u>
Legal Services Revolving Fund Appropriation	\$	18,537,000
Total Appropriation	\$	((22,493,000))
		<u>22,394,000</u>

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

(1) \$150,000 of the general fund appropriation is provided solely for the continuation of the crime watch program.

(2) Net savings of state general fund moneys realized by agencies as a result of the 5% reduction in legal services revolving fund billings shall be placed in reserve

status by the director of financial management. These funds shall not be expended until appropriated by law.

Sec. 17. Section 21, chapter 340, Laws of 1981 as last amended by section 21, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund Appropriation—State	\$	((12,674,000))
		<u>12,442,000</u>
General Fund Appropriation—Federal	\$	<u>6,300,000</u>
Total Appropriation	\$	((18,974,000))
		<u>18,742,000</u>

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

(1) \$675,000 of the general fund—state appropriation is provided solely for the completion of the higher education personnel/payroll system.

(2) \$70,000 of the general fund—state appropriation is provided solely for the payment of assessments against state-owned land.

(3) \$1,821,000 of the general fund—state appropriation is provided solely for the completion, implementation, and operation of the state budget and accounting systems development.

(4) A maximum of \$1,553,000 of the general fund—state appropriation is provided for payment of supplies and services furnished in previous biennia.

(5) \$5,000 of the general fund—state appropriation is provided solely for payment of claims against the state.

(6) \$5,000 of the general fund—state appropriation is provided solely as state matching funds for federal law enforcement assistance administration (LEAA) carry forward funds for local government projects.

Sec. 18. Section 24, chapter 340, Laws of 1981 as last amended by section 23, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DATA PROCESSING AUTHORITY (OR SUCCESSOR AGENCY)

General Fund Appropriation	\$	((386,000))
		<u>376,000</u>
Data Processing Revolving Fund Appropriation	\$	418,000
Total Appropriation	\$	((804,000))
		<u>794,000</u>

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

(1) The general fund appropriation is provided solely for fiscal year 1982.

(2) The data processing revolving fund appropriation is provided solely for fiscal year 1983. In making expenditures from this appropriation, the agency shall first exhaust all available funds in the equipment pool account within the data processing revolving fund before expending any other moneys in the revolving fund. After the fund balance in the equipment pool account has been expended, the data processing authority shall bill and collect from the service centers an amount equal to the remaining appropriation authority under this section and any applicable salary and benefit increase allocation.

Sec. 19. Section 25, chapter 340, Laws of 1981 as last amended by section 24, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMITTEE FOR DEFERRED COMPENSATION

General Fund Appropriation	\$	((30,000))
		<u>29,000</u>

Sec. 20. Section 26, chapter 340, Laws of 1981 as last amended by section 25, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund Appropriation	\$	((36,074,000))
		<u>35,809,000</u>
General Fund—State Timber Tax Reserve Account		
Appropriation	\$	2,794,000
Motor Vehicle Fund Appropriation	\$	110,000
Total Appropriation	\$	((38,978,000))
		<u>38,713,000</u>

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

(1) \$393,000 of the state timber tax reserve account appropriation is provided solely for reimbursement to counties with timberland for the costs of establishing forest land grades for each parcel of classified or designated forest land.

(2) The department of revenue shall maintain advisory appraisals as required by RCW 84.41.060.

(3) The department of revenue shall add one full time equivalent staff year for the ~~((1982))~~ 1983 fiscal year only to help conduct a new study of the financial impact of tax exemptions and a review of the effectiveness and problems of the current use law.

(4) That portion of the general fund—state appropriation which is allotted to the inheritance tax division for fiscal year 1983 is reduced by \$125,000 in this 1981 amendatory act in recognition of the passage of Initiative No. 402 and the resultant workload decrease in the inheritance tax division.

(5) \$2,310,000 of the general fund—state appropriation is provided solely for costs incurred by the excise tax division and the interpretation and appeals division as a result of the expanded effort at revenue recovery and appeals resolution.

(6) The department of revenue shall make every effort to implement the 1982 revisions to this section by making program reductions which will cause minimal loss of state revenues.

Sec. 21. Section 27, chapter 340, Laws of 1981 as last amended by section 26, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF TAX APPEALS

General Fund Appropriation	\$	((858,000))
		<u>837,000</u>

Sec. 22. Section 28, chapter 340, Laws of 1981 as last amended by section 27, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation—State	\$	((6,310,000))
		<u>6,152,000</u>
General Fund Appropriation—Private/Local	\$	89,000
General Fund—Motor Transport Account Appropria- tion	\$	8,688,000
General Administration Facilities and Services Revolv- ing Fund Appropriation	\$	13,378,000
Total Appropriation	\$	((28,465,000))
		<u>28,307,000</u>

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

(1) The department of general administration shall not expend any of the general fund appropriation for the replacement of motor transport division vehicles.

(2) The department of general administration shall provide insurance coverage for all state-owned, state-chartered, state-rented, or state employee-owned aircraft being used on authorized state business, including passengers. This coverage shall be in force for all such aircraft whether piloted by a state employee or employees of a

charter or rental firm. The department may require reimbursement for premium costs from user agencies on a pro rata basis.

(3) The department of agriculture shall transfer \$21,000 from its local fund accounts to the motor transport account. The state treasurer shall transfer to the motor transport account \$29,000 from the grain and hay inspection fund, \$8,000 from the community college capital projects account, and \$24,000 from the highway safety fund. These transfers shall be in accordance with schedules provided by the office of financial management.

Sec. 23. Section 29, chapter 340, Laws of 1981 as last amended by section 28, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE INSURANCE COMMISSIONER

General Fund Appropriation \$ ~~((7,043,000))~~
6,867,000

The appropriation in this section is subject to the following condition or limitation: \$70,000 is provided solely for work associated with the revisions to the valuation and nonforfeiture statutes as contained in chapter 9, Laws of 1982 1st ex. sess.

Sec. 24. Section 33, chapter 340, Laws of 1981 as last amended by section 30, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund Appropriation \$ ~~((870,000))~~
848,000

Sec. 25. Section 36, chapter 340, Laws of 1981 as last amended by section 31, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation \$ ~~((539,000))~~
534,000

The appropriation in this section is subject to the following condition or limitation: The board of accountancy shall not restrict entrance to CPA examinations as a result of reductions in state funding.

Sec. 26. Section 37, chapter 340, Laws of 1981 as last amended by section 32, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE BOXING COMMISSION

General Fund Appropriation \$ ~~((62,000))~~
60,000

Sec. 27. Section 41, chapter 340, Laws of 1981 as last amended by section 34, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PHARMACY BOARD

General Fund Appropriation \$ ~~((937,000))~~
914,000

The appropriation in this section is subject to the following condition or limitation: No moneys appropriated in this section may be expended for continuation of the diversion investigation unit.

Sec. 28. Section 44, chapter 340, Laws of 1981 as last amended by section 35, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF EMERGENCY SERVICES

General Fund Appropriation—State \$ ~~((975,000))~~
957,000
 General Fund Appropriation—Federal \$ 2,227,000
 Total Appropriation \$ ~~((3,202,000))~~
3,184,000

The appropriations in this section are subject to the following condition or limitation: \$242,000 of the general fund—state appropriation is provided solely to reimburse the federal emergency management agency for the state's share of costs

of individual and family grants provided for disaster relief: PROVIDED, That the department of emergency services, in conjunction with the department of social and health services, will reinstate an appeal process to the federal emergency management agency with respect to the \$87,102 in audit exceptions relative to the 1977 floods.

Sec. 29. Section 45, chapter 340, Laws of 1981 as last amended by section 36, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

General Fund Appropriation—State	\$	((6,140,000))
		<u>5,987,000</u>
General Fund Appropriation—Federal	\$	1,764,000
Total Appropriation	\$	((7,904,000))
		<u>7,751,000</u>

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

(1) \$279,000 of the general fund—state appropriation is provided solely for the continuation of the educational assistance grant program, of which a maximum of \$10,000 may be expended for administrative costs.

(2) \$32,000 of the general fund—state appropriation is provided solely for the Washington state guard.

(3) The military department shall make every effort to implement the 1982 revisions to this section by reducing programs whose funding does not affect the receipt of federal grants or contracts.

Sec. 30. Section 46, chapter 340, Laws of 1981 as last amended by section 37, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund Appropriation	\$	((1,138,000))
		<u>1,110,000</u>

Sec. 31. Section 48, chapter 340, Laws of 1981 as last amended by section 39, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

General Fund Appropriation	\$	((43,419,000))
		<u>42,299,000</u>

The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$~~((15,038,000))~~ 14,218,000 is provided solely to contract with nonprofit corporations to provide diversionary programs and operate and/or contract for work/training release for convicted felons: PROVIDED, That \$999,000 of this appropriation is provided solely for pre-trial diversion and the continuation of the alternatives to street crime programs in Snohomish, Pierce and Clark counties. Such funds shall be distributed to the counties in a timely manner: PROVIDED FURTHER, That \$375,000 of this appropriation is provided solely for the continuation of 50 work/training release beds at the Progress House Association of Tacoma.

(b) \$~~((2,479,000))~~ 2,419,000 is provided solely for intensive parole.

(c) \$~~((21,777,000))~~ 21,519,000 is provided solely for probation and parole.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation	\$	149,390,000
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The appropriation in this subsection is subject to the following conditions and limitations:

(a) The department of corrections shall present to the legislature by October 12, 1981, a comprehensive institutional educational policy. This report shall explain

the basis for selection of educational programs and participation and shall outline program and payment policies for contracting for educational services. The report shall include, but is not limited to, a detailing by month for each institution of the programs, program goals, staffing, costs per offering, and actual and estimated inmate participation.

(b) It is the intent of the legislature that custody staff at adult correctional institutions not be reduced below the levels existing on June 1, 1982.

(c) It is the assumption of the legislature that the appropriation in this subsection initially provides:

(i) \$24,731,000 for the Washington Corrections Center, excluding funds related to court orders under Hoptowit v. Ray, No. 79-359 (E. D. Wash.);

(ii) \$38,312,000 for the Washington State Penitentiary, excluding funds relating to court orders under Hoptowit v. Ray, No. 79-359 (E. D. Wash.);

(iii) \$1,010,000 for the Monroe mental health unit;

(iv) \$24,990,000 for the Washington State Reformatory;

(v) \$8,269,000 for the Purdy Treatment Center for Women;

(vi) \$20,816,000 for the McNeil Island Penitentiary;

(vii) \$9,090,000 for the Special Offenders Center;

(viii) Funds for other costs associated with honor camps and the Pine Lodge Corrections Center.

(3) PROGRAM SUPPORT

General Fund Appropriation	\$	((14,344,000))
		<u>13,646,000</u>
General Fund—Institutional Impact Account Approp-		
riation	\$	525,000
Total Appropriation	\$	((14,869,000))
		<u>14,171,000</u>

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

(a) \$500,000 is provided solely for individual legal services. There shall be no solicitation of legal action and all informal means of resolving disputes shall be utilized. These funds shall not be used to support class action litigation.

(b) \$2,902,000 is provided solely for costs directly resulting from the decision in Hoptowit v. Ray, No. 79-359 (E. D. Wash.): PROVIDED, That no expenditure of funds may be made without the signature of the agency's assistant attorney general on the authorizing document.

(c) \$1,557,000 for fiscal year 1982 and \$4,902,000 for fiscal year 1983 are provided solely to address population overrun in excess of current bed capacity. Such funds shall be released only with the approval of the director of financial management in consultation with the committees on ways and means of the senate and house of representatives.

(d) \$1,079,000 is provided solely for the one-time cost impact to communities associated with locating additional state correctional facilities.

(4) Funds may be transferred from program support to institutional services for costs associated with Hoptowit v. Ray, No. 79-359 (E. D. Wash.), and population overruns to the extent provided for in this section.

(5) The department of corrections shall in conjunction with the office of financial management and the committees on ways and means of the senate and house of representatives develop staff-to-inmate ratios or a system of post assignment for each correctional unit by August 1, 1981. By September 1, 1981, a written report on proposed staffing levels shall be presented to the legislature comparing this staffing to prior biennial levels and discussing its programmatic and fiscal implications.

Sec. 32. Section 49, chapter 340, Laws of 1981 as amended by section 43, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
JUVENILE REHABILITATION PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	19,010,000
General Fund Appropriation—Federal	\$	57,000
Total Appropriation	\$	19,067,000

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

(a) \$1,228,000 of the general fund—state appropriation is provided solely for community diagnostic services.

(b) \$700,000 from the general fund—state appropriation is provided solely for additional group home beds.

(c) \$224,000 is provided solely to establish a special treatment program for violent assault offenders in community programs.

(d) \$175,000 from the general fund—state appropriation is provided solely to increase the bed capacity of state-operated group homes.

(e) \$8,104,000 is provided solely for consolidated local programs. It is the intent of this funding to reduce existing program categorical barriers for funding and services and to support coordinated community-based treatment programs designed to more effectively and efficiently rehabilitate youthful offenders while protecting society. The department of social and health services shall report to the legislature by January 15, 1982, on the services funded under this program and the success of the programs in preventing institutionalization and reducing recidivism.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((35,443,000))
		<u>35,168,000</u>
General Fund Appropriation—Federal	\$	682,000
Total Appropriation	\$	((36,125,000))
		<u>35,850,000</u>

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

(a) \$428,000 is provided solely for a violent assault offender unit at the Green Hill School.

(b) It is the assumption of the legislature that the appropriations in this subsection initially provide:

(i) \$10,046,000 (including \$9,834,000 from the state general fund) for the Echo Glen Children's Center to operate at least twelve cottages;

(ii) \$8,646,000 (including \$8,456,000 from the state general fund) for the Maple Lane School to operate at full bed capacity;

(iii) \$10,095,000 (including \$9,965,000 from the state general fund) for the Green Hill School to operate at full bed capacity;

(iv) \$4,483,000 (including \$4,393,000 from the state general fund) for the Naselle Youth Camp to operate at full bed capacity; and

(v) \$2,855,000 (including \$2,795,000 from the state general fund) for the Mission Creek Youth Camp to operate at full bed capacity.

(3) PROGRAM SUPPORT

General Fund Appropriation	\$	1,889,000
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Sec. 33. Section 50, chapter 340, Laws of 1981 as last amended by section 40, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	((52,911,000))
		<u>52,311,000</u>
General Fund Appropriation—Federal	\$	((14,759,000))
		<u>14,660,000</u>
General Fund Appropriation—Local	\$	922,000
Total Appropriation	\$	((68,592,000))
		<u>67,893,000</u>

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

(a) \$48,948,000 of which \$~~((34,613,000))~~ 34,262,000 is from the general fund—state appropriation is provided solely for community mental health services. Of this amount, \$1,150,000 of the general fund—state appropriation is provided solely for 90 new residential treatment facility beds: PROVIDED, That Substitute House Bill No. 353 is passed during the 1981 legislative session: PROVIDED FURTHER, That if Substitute House Bill No. 353 should not pass, the funds provided for these beds shall be transferred to the institutional category of the mental health divisions appropriation. These beds are to be phased in according to the following schedule: 30 beds available January 1, 1982; an additional 30 beds available July 1, 1982; and an additional 30 beds available January 1, 1983. The department of social and health services shall contract for these beds at a rate not exceeding \$35.00 per day. These beds shall serve the chronically mentally ill.

(b) \$19,644,000 of which \$18,298,000 is from the general fund—state appropriation is provided solely for Involuntary Treatment Act costs. Up to \$2,200,000 of the general fund—state appropriation is provided for 60 new evaluation and treatment beds. These beds are for 72-hour and 14-day commitments. All 60 beds shall be available no later than January 1, 1983. The department of social and health services shall contract for these beds at a rate not to exceed \$50.00 per day.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((77,511,000))
		<u>77,354,000</u>
General Fund Appropriation—Federal	\$	5,085,000
Total Appropriation	\$	((82,596,000))
		<u>82,439,000</u>

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

(a) \$49,931,000, of which \$47,464,000 is from state funds, is provided solely for Western State Hospital.

(b) \$24,410,000, of which \$22,717,000 is from state funds, is provided for Eastern State Hospital.

(c) \$4,856,000, of which \$4,105,000 is from state funds, is provided solely for the PORTAL program at the Northern State facility. The secretary of social and health services shall prepare a report for submittal to the legislature by October 1, 1982, on the feasibility and method for implementing the residential treatment program utilized by PORTAL, in communities around the state.

(d) \$3,399,000, of which \$3,225,000 is from state funds, is provided solely for the child study and treatment center.

(e) Upon completion of the new hospital beds at the state hospitals, the department may, by contract, allow other public agencies to utilize the beds made surplus by the opening of the new facility if those agencies provide the funds to cover the

full cost of such operation. The hospital shall account for these patients separately from state-supported patients. The care of these patients shall not be subject to the staff-to-patient ratio required in this act.

(f) It is the intent of the legislature that direct patient care services at mental health institutions not be reduced below the levels existing on June 1, 1982.

(3) SPECIAL PROJECTS

General Fund Appropriation—State	\$	1,410,000
General Fund Appropriation—Federal	\$	320,000
Total Appropriation	\$	1,730,000

The appropriations in this subsection are subject to the following condition or limitation: \$579,000 from the general fund—state appropriation is provided solely for the continuation of the case management projects in Snohomish, King, Pierce, and Clark counties, and such other counties as funds allow: PROVIDED, That each county receiving these funds shall develop a method of funding case management within its 1983-85 grant-in-aid awards.

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$	1,851,000
General Fund Appropriation—Federal	\$	549,000
Total Appropriation	\$	2,400,000

Sec. 34. Section 51, chapter 340, Laws of 1981 as last amended by section 41, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES— DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	((46,778,000))
		45,982,000
General Fund Appropriation—Federal	\$	((9,434,000))
		8,934,000
Total Appropriation	\$	((56,212,000))
		54,916,000

~~((The appropriations in this subsection are subject to the following condition or limitation: \$1,000,000 of which \$500,000 is from federal funds is provided solely for the fragile children's program to be implemented during fiscal year 1982. PROVIDED, That a maximum of \$70,000 of these moneys may be expended for start-up costs for group homes. PROVIDED, That up to \$35,000 may be expended to develop a Title XIX waiver plan for community services. If the fragile children's program is not developed by January 1, 1983, then these funds shall revert to the general fund except for those funds expended for group home start-up costs and the Title XIX waiver.))~~

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((83,528,000))
		82,904,000
General Fund Appropriation—Federal	\$	((49,036,000))
		48,829,000
Total Appropriation	\$	((132,564,000))
		131,733,000

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

(a) The department of social and health services in conjunction with the superintendent of public instruction and a legislative study committee shall study the services provided by the School for the Deaf and the School for the Blind. The study shall be prepared in consultation with the parents of students enrolled in these

schools as well as members of the deaf and blind community. The study shall include the role these schools play in the provision of education to sensory handicapped pupils in the state. The study shall further include an assessment of the advantages and disadvantages of continuing the operation of the schools; changing the operation of the schools; and closing the schools and serving the students through public schools' special programs. The report shall be completed and submitted to the legislature for review by December 30, 1981.

(b) It is the assumption of the legislature that the appropriations in this subsection initially provide:

(i) \$32,544,000 for the Fircrest School to operate at a biennial average daily population of 491;

(ii) \$15,264,000 for the Interlake School to operate at a biennial average daily population of 248;

(iii) \$34,237,000 for the Rainier School to operate at a biennial average daily population of 531;

(iv) \$24,651,000 for Lakeland Village to operate at a biennial average daily population of 359;

(v) \$10,020,000 for the Yakima Valley School to operate at a biennial average daily population of 148;

(vi) \$3,921,000 for the Francis Haddon Morgan Children's Center to operate at a biennial average daily population of 55; and

(vii) \$1,117,000 for the Cerebral Palsy Center to operate at a biennial average daily population of 16.

(3) SPECIAL PROJECTS

General Fund Appropriation—State	\$	984,000
General Fund Appropriation—Federal	\$	2,397,000
Total Appropriation	\$	3,381,000

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$	(3,056,000)
		<u>2,962,000</u>
General Fund Appropriation—Federal	\$	(227,000)
		<u>209,000</u>
Total Appropriation	\$	(3,283,000)
		<u>3,171,000</u>

Sec. 35. Section 52, chapter 340, Laws of 1981 as last amended by section 42, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
NURSING HOMES PROGRAM

General Fund Appropriation—State	\$	((167,275,000))
		<u>164,790,000</u>
General Fund Appropriation—Federal	\$	((167,327,000))
		<u>164,842,000</u>
Total Appropriation	\$	((334,602,000))
		<u>329,632,000</u>

The appropriations in this section are subject to the following condition or limitation: This appropriation assumes passage of Senate Bill No. 3765 and a two-year delay of implementation of chapter 74.46 RCW.

Sec. 36. Section 53, chapter 340, Laws of 1981 as last amended by section 43, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
INCOME MAINTENANCE GRANTS PROGRAM

General Fund Appropriation—State	\$	((308,198,000))
		<u>305,304,000</u>

General Fund Appropriation—Federal	\$	(319,194,000)
		316,762,000
Total Appropriation	\$	((627,392,000))
		622,066,000

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

(1) \$20,000,000 is provided solely for implementation of the consolidated emergency assistance program to provide specifically directed cash or in-kind benefits to meet the specific emergent need(s) of the applicant. Aid may be provided for up to two months in any consecutive twelve-month period to low-income families with children who are ineligible for other state or federal assistance. It is the intent of the legislature that eligibility requirements shall be stricter than AFDC requirements. The department of social and health services shall immediately apply for waivers under Title XI, section 1115 of the federal social security act to allow federal matching funds to be used for the consolidated emergency assistance program as provided for in this section and in chapter 74.04 RCW (Senate Bill No. 4299).

(2) \$45,282,000 of the general fund—state appropriation is provided solely for income maintenance grants for the general assistance—unemployable program.

(3) The department of social and health services shall immediately evaluate federal proposals which are presently legal options to the states and implement those which are found to be cost-effective. In addition, the department shall seek waivers for any specific federal proposals which are cost-effective and are not now authorized. When waivers are obtained, changes shall be implemented. The department of social and health services shall provide proper notification, in accordance with state and federal laws and regulations, of any changes that are implemented. Furthermore, the department of social and health services shall draft rules to implement enacted changes to Title IV-A of the federal social security act prior to the issuance of federal regulations in order to avoid overexpenditure of state funds.

(4) The department of social and health services shall submit a report no later than November 2, 1981, to the committees on ways and means, social and health services, and human services of the senate and house of representatives detailing the implementation schedule and fiscal and program impact of these changes.

(5) It is the assumption of the legislature that the appropriations in this section initially provide:

(a) \$44,220,000 from federal funds for energy assistance;

(b) \$61,220,000 from federal funds for Indochinese refugees;

(c) \$20,000,000 from the state general fund for the consolidated emergency assistance program;

(d) \$453,334,000 (including \$219,086,000 from the state general fund) for aid to families with dependent children, with a caseload assumption for fiscal year 1982 of 59,890 cases and a caseload assumption for fiscal year 1983 of 61,797 cases;

(e) \$31,103,000 from the state general fund for the supplemental security income state supplement;

(f) \$53,428,000 from the state general fund for general assistance, with a caseload assumption for fiscal year 1982 of 9,075 cases and a caseload assumption for fiscal year 1983 of 9,692 cases;

(g) \$2,034,000 from the state general fund for supplemental security income—additional requirements;

(h) \$2,116,000 from the state general fund for burial assistance;

(i) \$2,361,000 (including \$1,475,000 from the state general fund) for employment and training day-care; and

(j) \$2,468,000 (including \$247,000 from the state general fund) for work incentive payments.

Sec. 37. Section 54, chapter 340, Laws of 1981 as last amended by section 44, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
COMMUNITY SOCIAL SERVICES GRANTS PROGRAM**

General Fund Appropriation—State	\$	((131,151,000))
		<u>127,518,000</u>
General Fund Appropriation—Federal	\$	((60,976,000))
		<u>60,904,000</u>
General Fund Appropriation—Local	\$	105,000
Total Appropriation	\$	((192,232,000))
		<u>188,527,000</u>

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

(1) ~~\$((41,511,000))~~ 39,170,000 of which \$16,044,000 is from federal funds is provided solely for the provision of chore services to persons at risk of institutionalization who meet the eligibility criteria in RCW 74.08.541, and for the support of programs utilizing volunteers to provide chore services. Out of these moneys, a limited chore service program shall be provided in which services are provided solely on an hourly basis, with a monthly lid on chore service hours which may be authorized. Also out of these moneys, chore services shall be provided to clients in need of attendant care whose services are authorized on a monthly rate basis. The department of social and health services shall immediately seek waivers which allow the use of Title XX funds in a lidded program. Within available funds, the department of social and health services shall ensure that the portion of chore services provided in accordance with RCW 74.08.541 is sufficient to ensure that the client's remaining income after purchasing his or her share of chore services is not less than 30% of the state median income adjusted for family size. Chore services may additionally be provided out of these moneys on a case-by-case exception-to-policy basis to severely handicapped persons in need of attendant care whose income exceeds 30% of the state median income but does not exceed 57% of the state median income. Services may be provided under this subsection only to the extent necessary to allow the individual to remain in his or her own home, and no services may be authorized for more than ninety days at any one time.

(2) \$1,201,000 of the general fund—state appropriation is provided solely for long-term alcoholism beds.

(3) ~~\$((13,840,000))~~ 13,714,000 of the general fund—state appropriation is provided solely for implementation of the senior citizens services act. At least 7.0% of these funds shall be used to develop and implement programs which utilize volunteer workers for the provision of chore services to persons whose need for chore services is not being met by the state chore service program.

(4) ~~\$((1,148,000))~~ 1,098,000 of the general fund—state appropriation is provided solely for the victims of domestic violence program.

(5) ~~\$((833,000))~~ 783,000 of the general fund—state appropriation, or so much thereof as may be necessary, is provided solely for the migrant day-care program.

(6) \$40,000 of the general fund—state appropriation in this subsection is provided solely to complete the child abuse demonstration project directed by RCW 74.13.200.

(7) \$600,000 is provided solely for a cost-shared day care program which serves low-income employed parents throughout the remainder of the biennium within the funds provided in this subsection.

(8) It is the assumption of the legislature that the appropriations in this section initially provide:

- (a) \$15,851,000 (including \$11,559,000 from the state general fund) for alcoholism grants;
- (b) \$5,475,000 (including \$4,590,000 from the state general fund) for detoxification;
- (c) \$9,558,000 (including \$3,545,000 from the state general fund) for substance abuse grants;
- (d) \$2,500,000 from federal funds for Indochinese refugees;
- (e) \$17,642,000 from federal funds for aging services under Title III of the federal older Americans act;
- (f) \$14,960,000 from the state general fund for the senior citizens services act;
- (g) \$4,482,000 (including \$2,275,000 from the state general fund) for crisis residential centers;
- (h) \$28,887,000 from the state general fund for congregate care facilities;
- (i) \$45,072,000 (including \$38,120,000 from the state general fund) for foster care payments, with a caseload assumption of 5,433 for fiscal year 1982 and a caseload assumption of 5,327 for fiscal year 1983;
- (j) \$8,931,000 (including \$1,758,000 from the state general fund) for child care payments;
- (k) \$4,816,000 (including \$4,372,000 from the state general fund) for adoption support;
- (l) \$43,698,000 (including \$24,132,000 from the state general fund) for chore services;
- (m) \$1,148,000 from the state general fund for victims of domestic violence;
- (n) \$831,000 (including \$150,000 from the state general fund) for adult day care;
- (o) \$2,537,000 (including \$634,000 from the state general fund) for crisis intervention services;
- (p) \$1,200,000 from the state general fund for adult family homes; and
- (q) \$144,000 from the state general fund for nursing home discharge allowances.

Sec. 38. Section 55, chapter 340, Laws of 1981 as last amended by section 45, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
MEDICAL ASSISTANCE GRANTS PROGRAM**

General Fund Appropriation—State	\$	((253,219,000)) 245,079,000
General Fund Appropriation—Federal	\$	((212,081,000)) 205,411,000
Total Appropriation	\$	((465,300,000)) 450,490,000

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

(1) \$43,999,000 of the general fund—state appropriation is provided solely for the medical care of individuals not eligible for categorical assistance. Eligibility standards and scope of service shall be determined by the department of social and health services.

(2) \$34,146,000 of the general fund—state appropriation is provided solely for the medical component of the general assistance—unemployable program.

(3) The legislature supports efforts to maximize the cost benefits of pre-paid risk-sharing contracts in the provision of medical services through health maintenance organizations (HMOs) and individual practice associations (IPAs). The department is directed to seek increased participation of recipients enrolled in these programs. The legislature further supports the use of a hospital reimbursement system based on prospectively established rates. The department shall cooperate with

the hospital commission in determining the possible savings to the state of using such a system.

(4) The department of social and health services shall establish by rule a system to insure that these funds are not expended to cover persons who are already covered by private or public programs.

(5) \$7,700,000 of the general fund—state appropriation is provided solely to lower the deductible for medically indigent persons from \$1,500 per year to \$500 per year, effective April 1, 1982.

Sec. 39. Section 56, chapter 340, Laws of 1981 as amended by section 50, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
PUBLIC HEALTH PROGRAM

General Fund Appropriation—State	\$	((32,938,000))
		<u>32,738,000</u>
General Fund Appropriation—Federal	\$	((50,028,000))
		<u>49,900,000</u>
General Fund Appropriation—Local	\$	((2,842,000))
		<u>2,922,000</u>
General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)— Appropriation	\$	10,000,000
General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27); chapter 258, Laws of 1979 ex. sess. (chapter 43.99D RCW); and chapter 234, Laws of 1979 ex. sess. (Referendum 38)—Reappropriation	\$	19,900,000
Total Reappropriation	\$	19,900,000
Total New Appropriation	\$	85,323,000
Total Appropriation	\$	((115,708,000))
		<u>115,460,000</u>

Sec. 40. Section 57, chapter 340, Laws of 1981 as last amended by section 46, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
VOCATIONAL REHABILITATION PROGRAM

General Fund Appropriation—State	\$	((15,666,000))
		<u>14,958,000</u>
General Fund Appropriation—Federal	\$	((27,468,000))
		<u>27,419,000</u>
Total Appropriation	\$	((43,134,000))
		<u>42,377,000</u>

Sec. 41. Section 58, chapter 340, Laws of 1981 as last amended by section 47, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

General Fund Appropriation—State	\$	((56,017,000))
		<u>48,609,000</u>
General Fund Appropriation—Federal	\$	((44,191,000))
		<u>43,123,000</u>
General Fund—Institutional Impact Account Approp- riation	\$	75,000

Total Appropriation \$ ~~((100,283,000))~~
91,807,000

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

(1) \$3,187,000 of the general fund—state appropriation is provided solely for the integrated systems development project. This project shall include among its top priorities the development of a method for the identification of common client information and the tracking of clients through all human service programs provided by the department of social and and health services. This project is subject to the following conditions:

(a) By October 1, 1982, the department of social and health services shall make reports available to the legislature that analyze client, service delivery, and service cost data across systems containing common client identifier information, including but not limited to Social Service Payment Systems, Medicaid Management Information Systems, and the Interactive Terminal Input Systems/Client Financial Systems.

(b) \$686,000 of this sum shall be used to: (i) Establish a centralized data administration function; (ii) enhance and establish centralized data security and privacy controls; and (iii) implement a comprehensive data system methodology. By October 1, 1982, the department shall submit a report to the legislature that includes: (i) Plans for including each client, service cost, and service delivery information system in the department's data dictionary; (ii) an approach for unique identifications of individual service recipients, service recipient households, and service recipient families, and for the incorporation of such in each client, service cost, and service delivery information system; and (iii) plans for extracting data from those systems which include unduplicated recipient counts and service histories.

(c) These systems shall meet the following criteria: (i) Contain client, service cost, service delivery, or financial data; and (ii) lend themselves to rapid, flexible, and efficient data extraction and report generation. Those systems containing client information should include unique identifiers of individual recipients, recipient families, and recipient households with confidentiality of patient information and records as provided by state and federal law.

(d) A high priority of projects funded with this appropriation is the mental health information system for institutions and community mental health. This project shall be developed and completed during the 1981-83 biennium.

(2) In addition to any other reporting requirements, the department of social and health services shall report in writing to the committees on ways and means of the senate and house of representatives not later than January 15, 1982, and January 14, 1983, on actions taken to implement the conditions and limitations provided in sections 47 through 60 of this act and on the funds expended in support of each condition or limitation. If a department of corrections is created, it shall provide any reports required under this subsection for the conditions and limitations established in sections 47 and 48 of this act.

(3) The department of social and health services shall perform ongoing random samplings of those individuals affected by the elimination and/or reduction of public assistance programs and chore services as required by this budget. This study shall include the detailing of the following impacts: (a) The extent to which individuals are institutionalized as the result of loss of assistance or service; (b) the number of individuals who were able to find assistance from private sources to meet basic needs; (c) the number of individuals who became enrolled in another state or locally funded program: PROVIDED, That the department shall make regular reports to the legislature detailing the progress of the projects done under the authority of this section.

(4) The secretary of social and health services may transfer up to ~~((seven))~~ thirteen million dollars of general fund—state appropriations into this program from sections 49, 50, 51, 52, 53, 54, 55, 56, 57, and 59 of chapter 340, Laws of 1981, as amended, as savings occur in those programs.

Sec. 42. Section 59, chapter 340, Laws of 1981 as last amended by section 48, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
COMMUNITY SERVICES ADMINISTRATION PROGRAM**

General Fund Appropriation—State	\$	((100,661,000))
		<u>101,062,000</u>
General Fund Appropriation—Federal	\$	((126,524,000))
		<u>127,275,000</u>
General Fund Appropriation—Local	\$	48,000
Total Appropriation	\$	((227,233,000))
		<u>228,385,000</u>

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

(1) The department of social and health services shall monitor and determine the net reduction in income maintenance and medical costs as a result of the employment and training program.

(2) The department of social and health services in conjunction with the employment security department shall seek federal funding to support the placement incentive demonstration project.

(3) The department of social and health services in conjunction with the employment security department shall monitor and determine the net reduction in income maintenance and medical costs as a result of the placement incentive demonstration project.

(4) \$350,000 is provided solely for the sexual assault victims program.

(5) The department shall provide necessary assistance in each community service office to ensure that applicants or recipients of general assistance who may qualify for supplemental security income make prompt application for and actively pursue qualification for the supplemental security income program.

Sec. 43. Section 61, chapter 340, Laws of 1981 as last amended by section 50, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

General Fund Appropriation—State	\$	((14,285,000))
		<u>13,928,000</u>
General Fund Appropriation—Local	\$	2,496,000
Total Appropriation	\$	((16,781,000))
		<u>16,424,000</u>

Sec. 44. Section 62, chapter 340, Laws of 1981 as last amended by section 51, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY

General Fund Appropriation—State	\$	((4,206,000))
		<u>4,101,000</u>
General Fund Appropriation—Federal	\$	28,152,000
Total Appropriation	\$	((32,358,000))
		<u>32,253,000</u>

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

(1) \$40,000 of the general fund—state appropriation is provided solely for City Fair—Seattle.

(2) In anticipation of significant reductions in federal support, the agency shall prepare a contingency expenditure plan which adjusts the allotments to reflect the

anticipated loss of federal funds and required state matching funds. This contingency plan shall include necessary program changes and a redefinition of services. As a result of any loss of federal funds, subsequent state matching funds shall be placed in reserve. The contingency plan shall be transmitted to the legislature upon completion.

(3) A maximum of \$1,132,000 of the general fund—state appropriation is provided for the Mt. St. Helens Zone Enforcement/Assistance Project to expedite a coordinated three-county response to an emergency generated by tourist and public response to Mt. St. Helens volcano activity and/or disaster.

(4) \$107,000 of the general fund—state appropriation is provided solely for additional state support to continue the federally funded Section 8 low-income housing program.

Sec. 45. Section 66, chapter 340, Laws of 1981 as last amended by section 53, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation—State	\$	((7,684,000))
		<u>7,492,000</u>
General Fund—Crime Victims' Compensation		
Account Appropriation	\$	160,000
Accident Fund Appropriation—State	\$	39,401,000
Accident Fund Appropriation—Federal	\$	366,000
Electrical License Fund	\$	7,381,000
Medical Aid Fund Appropriation	\$	33,619,000
Plumbing Certificate Fund	\$	283,000
Pressure Systems Safety Fund	\$	827,000
Total Appropriation	\$	((89,721,000))
		<u>89,529,000</u>

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

(1) General fund expenditures for the building and construction program together with associated indirect cost and salary increase costs shall not exceed general fund revenue from the building and construction program.

(2) \$1,094,000 of the general fund—state appropriation is provided solely for the fiscal year 1982 employment standards and apprenticeship programs. Fiscal year 1983 funding shall be determined on the basis of a legislative budget committee review of the employment standards program within the criteria established in chapter 43.131 RCW and complete a report prior to December 15, 1981. Fiscal year 1983 funding of the apprenticeship program shall be determined on the basis of a legislative study to be completed by January 15, 1982.

(3) \$2,630,000 of the general fund—state appropriation is provided solely for victims of crime benefit payments.

Sec. 46. Section 68, chapter 340, Laws of 1981 as last amended by section 55, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE HOSPITAL COMMISSION

General Fund Appropriation—State	\$	((474,000))
		<u>462,000</u>
General Fund Appropriation—Federal	\$	128,000
General Fund—Hospital Commission Account		
Appropriation	\$	915,000
Total Appropriation	\$	((1,517,000))
		<u>1,505,000</u>

The appropriations in this section are subject to the following condition or limitation: The hospital commission shall further review the benefits and possible savings

to the state of utilizing a reimbursement system based on prospectively established hospital rates.

Sec. 47. Section 69, chapter 340, Laws of 1981 as last amended by section 56, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation—State	\$	(1,988,000)
		<u>1,938,000</u>
General Fund Appropriation—Federal	\$	158,908,000
General Fund Appropriation—Local	\$	23,571,000
Administrative Contingency Fund Appropriation—		
Federal	\$	2,231,000
Unemployment Compensation Administration Fund		
Appropriation	\$	93,132,000
Total Appropriation	\$	((279,836,000))
		<u>279,780,000</u>

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

(1) \$729,000 of the general fund—state appropriation is provided solely for work orientation of ex-offenders.

(2) \$300,000 of the general fund—state appropriation is provided solely for a placement incentive demonstration project to serve AFDC-R recipients who have been on assistance for three consecutive years or more and have been determined to have the most severe barriers to employment.

The goal of this program is to establish a demonstration program that will use performance-based contracts to achieve full-time job placement and ensure long-term job retention. Not more than \$1,000 may be spent per participant and the payment schedule shall be structured to ensure incentive is built-in with twelve-month job retention for a minimum of 50% of the participants. The results of this program will be analyzed and evaluated and a written report will be submitted to the legislature by January, 1983. The report shall also contain comparative analysis of other similar employment and training programs including the employment and training program of the department of social and health services. The employment security department shall cooperate with the department of social and health services in seeking federal funds for this program and in monitoring savings in income maintenance and medical assistance as a result.

Job services employees and job services related activities which are federally funded are not subject to the reductions provided in this 1982 amendatory act.

Sec. 48. Section 70, chapter 340, Laws of 1981 as amended by section 61, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION FOR THE BLIND

General Fund Appropriation—State	\$	((2,468,000))
		<u>2,406,000</u>
General Fund Appropriation—Federal	\$	5,254,000
Total Appropriation	\$	((7,722,000))
		<u>7,660,000</u>

Sec. 49. Section 71, chapter 340, Laws of 1981 as last amended by section 58, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE JAIL COMMISSION

General Fund Appropriation	\$	((339,000))
		<u>331,000</u>
General Fund—Local Jail Improvement and Con-		
struction Account Appropriation	\$	511,000
Total Appropriation	\$	((850,000))
		<u>842,000</u>

Sec. 50. Section 72, chapter 340, Laws of 1981 as last amended by section 59, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE ENERGY OFFICE

General Fund Appropriation—State	\$	((1,005,000))
		<u>980,000</u>
General Fund Appropriation—Federal	\$	4,641,000
Total Appropriation	\$	((5,646,000))
		<u>5,621,000</u>

Sec. 51. Section 73, chapter 340, Laws of 1981 as last amended by section 60, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund Appropriation	\$	((66,000))
		<u>64,000</u>

Sec. 52. Section 74, chapter 340, Laws of 1981 as amended by section 61, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State	\$	((17,515,000))
		<u>17,077,000</u>
General Fund Appropriation—Federal	\$	14,380,000
General Fund—Special Grass Seed Burning Research Account Appropriation	\$	35,000
General Fund—Reclamation Revolving Account Appropriation	\$	580,000
General Fund—Litter Control Account Appropria- tion	\$	4,110,000
Stream Gaging Basic Data Fund Appropriation	\$	200,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26)	\$	54,315,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Reappropriation (Referendum 26)	\$	61,797,000
General Fund—Water Pollution Control Facilities Account Appropriation	\$	50,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27)	\$	7,284,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation (Referendum 27)	\$	4,700,000
General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.	\$	7,358,000
General Fund—Emergency Water Project Revolving Account: Reappropriation	\$	6,500,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)	\$	18,095,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws		

of 1980 (Referendum 39)	\$	84,780,000
Total Reappropriation	\$	72,997,000
Total New Appropriation	\$	((208,702,000))
		<u>208,264,000</u>
Total Appropriation	\$	((281,699,000))
		<u>281,261,000</u>

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

(1) On or before October 1, 1981, the department of ecology shall file with the committees on ways and means of the senate and house of representatives a master compilation by project type of those projects proposed for funding during the 1981-83 biennium from the appropriations for waste disposal facilities and water supply facilities. A separate compilation shall be supplied for each referendum bond issue. The department shall submit updates for the master compilation to the committees on ways and means at six-month intervals during the 1981-83 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering the projects. If the department proposes to change or modify any project list on the master compilation, it shall give the committees on ways and means thirty days' written notice of the change or modification prior to the expenditure or obligation of any funds appropriated by this section. The department shall immediately inform the committees of significant changes from historic federal funding levels for waste disposal facilities and water supply facilities.

(2) The appropriation from the state and local improvements revolving account—water supply facilities (Referendum 27) may be expended to pay up to 50% of the eligible cost of any project, as a grant or loan or combination thereof. Also, the department may lend up to 100% of the eligible costs of preconstruction activities and the department may provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(3) The appropriation from the state and local improvements revolving account—waste disposal facilities (Referendum 26) may be expended by the department to pay for up to 50% of the eligible cost of any project, as a grant or up to 100% as a loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(4) The appropriation from the state and local improvements revolving account—waste disposal facilities 1980 (Referendum 39) may be expended by the department to pay up to 75% of the eligible cost of any project as a grant or up to 100% as a loan, or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(5) \$130,000 of the general fund—state appropriation is provided solely to augment current department planned expenditures for the assessment of sources of, and abatement programs for, toxic substances in Commencement Bay and its waterways. Of that amount:

(a) \$90,000 is for field and laboratory studies and activities needed for determining the source or sources of toxic substances in Commencement Bay and its waterways; and

(b) \$40,000 is for collecting and analyzing samples of sediments from any deep water portions of Commencement Bay that have been utilized for waste disposal sites, for the purpose of identifying the nature and extent of the wastes deposited.

(6) \$1,306,000 of the general fund—state appropriation is provided solely for the vehicle emission inspection program.

Sec. 53. Section 75, chapter 340, Laws of 1981 as last amended by section 62, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ENVIRONMENTAL HEARINGS OFFICE

General Fund Appropriation	\$	((573,000))
		<u>559,000</u>

Sec. 54. Section 77, chapter 340, Laws of 1981 as last amended by section 63, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund Appropriation—State	\$	((24,349,000))
		<u>23,740,000</u>
General Fund Appropriation—Federal	\$	185,000
General Fund Appropriation—Private/Local	\$	467,000
General Fund—Trust Land Purchase Account Appropriation	\$	5,573,000
General Fund—Winter Recreation Parking Account Appropriation	\$	64,000
General Fund—Outdoor Recreation Account Approp- riation	\$	81,000
General Fund—Snowmobile Account Appropriation	\$	555,000
Motor Vehicle Fund Appropriation	\$	600,000
Total Appropriation	\$	((31,874,000))
		<u>31,265,000</u>

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

(1) A maximum of \$140,000 may be expended for continuation of contractual agreements with Grays Harbor and Pacific counties for beach patrol and law enforcement on North Beach, South Beach, and Long Beach.

(2) \$104,000 is provided solely for a manual campsite reservation system.

(3) A maximum of \$193,000 may be expended for a lifeguard program.

(4) A maximum of \$80,000 may be expended for the operation of the Goldendale Observatory.

(5) No moneys appropriated in this section may be expended for an agreement with the department of transportation for maintenance of the restroom at Snoqualmie Pass.

(6) \$700,000 may be expended for facility maintenance.

(7) \$162,000 may be expended for law enforcement, including an agreement with the Washington state patrol.

(8) \$75,000 is provided solely to determine the potential long-range alternative uses of the St. Edwards facility. The study shall include all potential uses, including but not limited to recreation. The results of the study shall be reported to the legislature not later than December 1, 1981.

(9) \$36,000 of this general fund—state appropriation is provided solely to provide minimal heat, air circulation, water and maintenance necessary to prevent the deterioration of the St. Edwards facility.

(10) \$15,000 may be expended to implement the recommendations of the Mt. St. Helens recreation and tourism task group for the operation of Sequest state park tourist information center and various viewpoints and sanitary facilities.

(11) \$75,000 is provided solely for the implementation of a boat moorage fee program at selected state parks to be determined by the state parks and recreation commission.

Sec. 55. Section 78, chapter 340, Laws of 1981 as last amended by section 64, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund Appropriation—State	\$	((288,000))
		<u>281,000</u>
General Fund Appropriation—Federal	\$	205,000
Total Appropriation	\$	((493,000))
		<u>486,000</u>

Sec. 56. Section 80, chapter 340, Laws of 1981 as last amended by section 65, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

General Fund Appropriation—State	\$	((8,095,000))
		<u>7,893,000</u>
General Fund Appropriation—Federal	\$	391,000
Motor Vehicle Fund Appropriation	\$	395,000
Total Appropriation	\$	((8,881,000))
		<u>8,679,000</u>

Sec. 57. Section 81, chapter 340, Laws of 1981 as last amended by section 66, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

General Fund Appropriation—State	\$	((33,632,000))
		<u>32,791,000</u>
General Fund Appropriation—Federal	\$	5,777,000
General Fund Appropriation—Private/Local	\$	1,873,000
General Fund—Lewis River Hatchery Account Appropriation	\$	27,000
Total Appropriation	\$	((41,309,000))
		<u>40,468,000</u>

The appropriations in this section are subject to the following condition or limitation: \$211,000 of the general fund—state appropriation is provided solely for bait fish and ling cod enhancement efforts.

Sec. 58. Section 83, chapter 340, Laws of 1981 as last amended by section 67, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation—State	\$	((20,775,000))
		<u>20,256,000</u>
General Fund Appropriation—Federal	\$	1,354,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation	\$	1,711,000
General Fund—Forest Development Account Approp- riation	\$	16,669,000
General Fund—State Timber Tax Reserve Account Appropriation	\$	414,000
General Fund—Landowner Contingency Forest Fire Suppression Account Appropriation	\$	1,878,000
General Fund—Resource Management Cost Account Appropriation	\$	49,977,000
Total Appropriation	\$	((92,778,000))
		<u>92,259,000</u>

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

(1) \$1,782,000 of the general fund—state appropriation is provided solely for emergency fire suppression. The funds shall also be available for interfund loans with the landowner contingency forest fire suppression account.

(2) A maximum of \$1,997,000 of the state general fund appropriation shall be expended for the operation of the Clearwater, Olympic, Larch Mountain, Indian Ridge, Cedar Creek, Maple Lane, Naselle, and Mission Creek Honor Camps.

(3) Up to \$13,000,000 of the resource management cost account appropriation may be substituted by additional forest development account funds in excess of the appropriation. Any funds so replaced shall not be expended for any purpose.

(4) \$40,000 of the resource management cost account appropriation is provided solely for lake management.

(5) The department of natural resources shall provide a report on the urban lands program to the committees on ways and means of the house of representatives and the senate by December 1, 1981. The report shall include an inventory of urban lands, a management plan for each urban parcel, involvement in land use planning, and any other information necessary for policy determination.

Sec. 59. Section 84, chapter 340, Laws of 1981 as last amended by section 68, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation—State	\$	(8,221,000)
		<u>8,015,000</u>
General Fund Appropriation—Federal	\$	777,000
General Fund—Feed and Fertilizer Account Approp- riation	\$	29,000
Fertilizer, Agricultural, Mineral and Lime Fund Approp- riation	\$	358,000
Commercial Feed Fund Appropriation—State	\$	311,000
Commercial Feed Fund Appropriation—Federal	\$	22,000
Seed Fund Appropriation	\$	913,000
Nursery Inspection Fund Appropriation	\$	270,000
Grain and Hay Inspection Fund Appropriation	\$	17,278,000
Total Appropriation	\$	(28,179,000)
		<u>27,973,000</u>

The appropriations in this section are subject to the following condition or limitation: A maximum of \$13,000 of the general fund—state appropriation shall be expended for starling control.

Sec. 60. Section 85, chapter 340, Laws of 1981 as last amended by section 69, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund Appropriation	\$	(9,130,000)
		<u>8,902,000</u>
General Fund—Architects' License Account Approp- riation	\$	173,000
General Fund—Opticians' Account Appropriation	\$	33,000
General Fund—Optometry Account Appropriation	\$	81,000
General Fund—Professional Engineers' Account Appropriation	\$	478,000
General Fund—Real Estate Commission Account Appropriation	\$	3,444,000
General Fund—Board of Psychological Examiners Account Appropriation	\$	42,000
Game Fund Appropriation	\$	148,000
Highway Safety Fund Appropriation	\$	33,286,000
Motor Vehicle Fund Appropriation	\$	27,399,000
Total Appropriation	\$	(74,214,000)
		<u>73,986,000</u>

Sec. 61. Section 5, chapter 289, Laws of 1981 as amended by section 70, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

There is appropriated to the environmental policy commission from the general fund for the biennium ending June 30, 1983, the sum of ~~((forty-two))~~ forty-one thousand dollars, to carry out the purposes of this act.

Sec. 62. Section 86, chapter 340, Laws of 1981 as last amended by section 71, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)

General Fund Appropriation—State	\$	((11,945,000))
		<u>11,794,000</u>
General Fund Appropriation—Federal	\$	5,981,000
General Fund—Traffic Safety Education Account		
Appropriation	\$	460,000
Total Appropriation	\$	((18,386,000))
		<u>18,235,000</u>

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

(1) A maximum of \$460,000 may be expended for the state office administration of the traffic safety education program.

(2) The superintendent shall ensure that data reported by school districts for reimbursement and state budget planning purposes is accurate and timely.

(3) The Superintendent of Public Instruction shall not reduce the scoliosis screening program established under RCW 28A.31.132 through 28A.31.142 below the level established under chapter 340, Laws of 1981 as enacted during the 1981 regular session of the Legislature.

Sec. 63. Section 99, chapter 340, Laws of 1981 as last amended by section 79, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund Appropriation—State	\$	((3,946,000))
		<u>3,895,000</u>
State Funding Sources	\$	3,373,000
Total Appropriation	\$	((7,319,000))
		<u>7,268,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) Educational service districts shall be apportioned funds based upon the following schedule:

	General Fund—State	State Funding Sources
E.S.D. No. 101	\$((501,000))	\$562,000
	<u>495,000</u>	
E.S.D. No. 105	\$((479,000))	\$269,000
	<u>473,000</u>	
E.S.D. No. 112	\$((403,000))	\$453,000
	<u>398,000</u>	
E.S.D. No. 113	\$((430,000))	\$483,000
	<u>424,000</u>	
E.S.D. No. 114	\$((370,000))	\$208,000
	<u>365,000</u>	
E.S.D. No. 121	\$((352,000))	\$396,000
	<u>347,000</u>	
E.S.D. No. 123	\$((467,000))	\$262,000

	<u>461,000</u>	
E.S.D. No. 171	\$((571,000))	\$321,000
	<u>564,000</u>	
E.S.D. No. 189	\$((373,000))	\$419,000
	<u>368,000</u>	
Total	\$((3,946,000))	\$3,373,000
	<u>3,895,000</u>	

(2) School districts in the respective educational service districts shall provide the amounts specified from state funding sources accruing under section 87 of this act on a per capita enrollment basis prior to June 30th of each school year.

(3) Educational service districts may provide additional services, not funded under this section but desired by school districts, by billing the school districts desiring the services for the cost of the services.

(4) Educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.21.088 (3) and (4).

Sec. 64. Section 101, chapter 340, Laws of 1981 as amended by section 81, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE INSTITUTIONAL EDUCATION PROGRAMS

General Fund Appropriation—State	\$	15,361,000
General Fund Appropriation—Federal	\$	5,560,000
Total Appropriation	\$	20,921,000

The appropriations in this section are subject to the following condition or limitation: The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of ((this 1982 act)) chapter 50, Laws of 1982 1st ex. sess.; PROVIDED, That percentage reductions in this program by any school district shall not exceed ((0.5%)) 1.75% on a biennial basis.

Sec. 65. Section 105, chapter 340, Laws of 1981 as amended by section 82, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL CLINICS

General Fund Appropriation	\$	((990,000))
		<u>978,000</u>

Sec. 66. Section 83, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

The superintendent of public instruction shall achieve a reduction of \$((~~15,674,000~~)) 55,060,000 in the total disbursements of state general fund moneys to local school districts for the 1982–1983 ((school)) state fiscal year for those programs under sections 72 (basic education), 74 (salary and compensation increase), 75 (pupil transportation), 76 (vocational–technical institutes), 77 (food service), 78 (handicapped costs), 80 (block grants), and 81 (institutional education) of ((this 1982 act)) chapter 50, Laws of 1982 1st ex. sess. This reduction approximates a ((0.5%)) 1.75% biennial reduction in the state general fund appropriation for disbursement to each local school district. It is the intent that such reductions shall be allocated on the basis of the apportionment schedule as provided in RCW 28A.48-.010. The legislature recognizes that local school districts are best prepared to identify their own individual local needs and priorities. Local school districts require maximum flexibility in prioritizing and providing for those programs that best meet their local needs. By December 1, 1982, each local school district shall inform the superintendent of public instruction of those programs for which entitled disbursements shall be reduced for that district, and the amount of the reductions. After December 1, 1982, for any local school district which fails to comply with this section, the superintendent shall reduce all disbursements as necessary to carry out the

purposes of this section. By January 15, 1983, the superintendent of public instruction shall submit a report to the legislature describing the reductions achieved under this section.

Sec. 67. Section 4, chapter 33, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated for the biennium ending June 30, 1983, the sum of ~~((twenty-five))~~ twenty-four thousand dollars, or so much thereof as may be necessary, from the state general fund: PROVIDED, That up to an additional ~~((one hundred))~~ ninety-eight thousand dollars from the state general fund may be expended if each dollar is matched by funds from private sources, to be used by the committee for the purpose of carrying out the provisions of sections 1 through 3 of this act. Upon completion of the study, any residual general fund state funds shall revert to the general fund.

Sec. 68. Section 107, chapter 340, Laws of 1981 as last amended by section 84, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

General Fund Appropriation—State	\$	((370,840,000))
		<u>363,351,000</u>
General Fund Appropriation—Federal	\$	271,000
Total Appropriation	\$	((371,111,000))
		<u>363,622,000</u>

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

(1) A maximum of \$2,608,000 may be spent for the small school adjustment to Whatcom, Olympia Technical, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, Lower Columbia, and Walla Walla Community Colleges. The distribution of such funds shall be based on a percent of formula entitlement for faculty staffing which shall be increased at the rate of one percentage point above the 71.0% base level for each 100 full time equivalent students below the 2,500 full time equivalent student enrollment level, except that no community college shall be funded in excess of 86.0% of formula.

(2) At least \$227,291 shall be expended for the purchase and maintenance of equipment to access the higher education personnel payroll system.

(3) In making reductions in funds, no reductions shall be made affecting tuition waivers for the parenting education program.

(4) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$71,854,988 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

(5) (a) For purposes of the 1983-85 budget development, enrollments which are attributable to ungraded courses, excluding adult basic education, for which operating fees are waived in whole or part shall be reduced by a percentage calculated by dividing the waived operating fees by the total operating fees and multiplying by twenty-three percent.

(b) As used in this subsection (5):

(i) "Waived operating fees" means the operating fees waived for an enrollment under RCW 28B.15.502(4); and

(ii) "Total operating fees" means the operating fees which would have been paid for an enrollment if no waiver had been granted.

Sec. 69. Section 108, chapter 340, Laws of 1981 as last amended by section 85, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund Appropriation	\$	((281,551,000))
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		<u>275,867,000</u>
Accident Fund Appropriation	\$	1,027,000
Medical Aid Fund Appropriation	\$	1,027,000
University of Washington Building Account Appropria- tion	\$	48,304,000
Total Appropriation	\$	((331,909,000)) <u>326,225,000</u>

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

(1) \$1,600,000 is provided solely for family medicine education.

(2) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$51,831,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 70. Section 109, chapter 340, Laws of 1981 as last amended by section 86, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY

General Fund Appropriation	\$	((169,375,000)) <u>165,955,000</u>
Washington State University Building Account Appropria- tion	\$	18,200,000
Total Appropriation	\$	((187,575,000)) <u>184,155,000</u>

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

(1) A maximum of \$380,000 may be expended for federal matching purposes for the small business development center.

(2) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$24,315,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 71. Section 110, chapter 340, Laws of 1981 as last amended by section 87, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((53,329,000)) <u>52,252,000</u>
Eastern Washington University Capital Projects Account Appropriation	\$	2,066,000
Total Appropriation	\$	((55,395,000)) <u>54,318,000</u>

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$10,351,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 72. Section 111, chapter 340, Laws of 1981 as last amended by section 88, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((47,875,000)) <u>46,908,000</u>
Central Washington University Capital Projects Account Appropriation	\$	1,666,000
Total Appropriation	\$	((49,541,000))

48,574,000

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$10,327,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 73. Section 112, chapter 340, Laws of 1981 as last amended by section 89, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

General Fund Appropriation	\$	((24,742,000))
		<u>24,242,000</u>

The appropriation in this section is subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$5,500,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 74. Section 113, chapter 340, Laws of 1981 as last amended by section 90, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((57,195,000))
		<u>56,040,000</u>
Western Washington University Capital Projects		
Account Appropriation	\$	3,102,000
Total Appropriation	\$	((60,297,000))
		<u>59,142,000</u>

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$9,599,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 75. Section 115, chapter 340, Laws of 1981 as last amended by section 92, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COUNCIL FOR POSTSECONDARY EDUCATION

General Fund Appropriation—State	\$	((19,878,000))
		<u>19,464,000</u>
General Fund Appropriation—Federal	\$	3,684,000
Total Appropriation	\$	((23,562,000))
		<u>23,148,000</u>

The appropriations in this section are subject to the following condition or limitation: \$106,000 shall be expended to honor higher education reciprocity agreements with the state of Oregon.

Sec. 76. Section 114, chapter 340, Laws of 1981 as amended by section 93, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COMPACT FOR EDUCATION

General Fund Appropriation	\$	((61,000))
		<u>60,000</u>

Sec. 77. Section 116, chapter 340, Laws of 1981 as last amended by section 94, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC BROADCASTING COMMISSION

General Fund Appropriation—State	\$	((124,000))
		<u>122,000</u>
General Fund Appropriation—Federal	\$	8,000

Total Appropriation	\$	((+132,000))
		<u>130,000</u>

Sec. 78. Section 118, chapter 340, Laws of 1981 as last amended by section 95, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION FOR VOCATIONAL EDUCATION

General Fund Appropriation—State	\$	((+1,682,000))
		<u>1,639,000</u>
General Fund Appropriation—Federal	\$	27,157,000
Total Appropriation	\$	((28,839,000))
		<u>28,796,000</u>

The appropriations in this section are subject to the following condition or limitation: No state funds may be used by the advisory council for vocational education.

Sec. 79. Section 121, chapter 340, Laws of 1981 as last amended by section 97, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund Appropriation—State	\$	((+1,191,000))
		<u>1,161,000</u>
General Fund Appropriation—Federal	\$	893,000
Total Appropriation	\$	((2,084,000))
		<u>2,054,000</u>

The appropriations in this section are subject to the following condition or limitation: \$((659,000)) 643,000 is provided solely for the cultural enrichment program in the common schools.

Sec. 80. Section 122, chapter 340, Laws of 1981 as last amended by section 98, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation	\$	((525,000))
		<u>511,000</u>

The appropriation in this section is subject to the following condition or limitation: \$27,000 is provided solely for a state historical monument to recognize the World War II internment of Japanese-Americans at the Western Washington fairgrounds in Puyallup. Funds appropriated for this memorial may be expended to the extent that at least twenty-five percent of the total cost of the project authorized is obtained from federal, local, or private sources.

Sec. 81. Section 123, chapter 340, Laws of 1981 as last amended by section 99, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation	\$	((440,000))
		<u>429,000</u>

Sec. 82. Section 124, chapter 340, Laws of 1981 as last amended by section 100, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE CAPITOL HISTORICAL ASSOCIATION

General Fund Appropriation	\$	((387,000))
		<u>377,000</u>
General Fund—State Capitol Historical Association		
Museum Account Appropriation	\$	53,000
Total Appropriation	\$	((440,000))
		<u>430,000</u>

Sec. 83. Section 37, chapter 67, Laws of 1981 as last amended by section 104, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

To carry out this act, there is appropriated to the office of the chief administrative law judge from the general fund for the fiscal year from July 1, 1981, through

June 30, 1982, the sum of one hundred ((five)) three thousand dollars, or so much thereof as may be necessary.

Sec. 84. Section 123, chapter 136, Laws of 1981 as last amended by section 106, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund \$((365,000)) 356,000 to the corrections standards board and \$4,630,000 to the department of corrections as established in this 1981 act. This appropriation shall be subject to the following conditions and limitations:

(1) For the 1981-83 biennium the department of corrections shall be authorized an additional 93 FTE staff years.

(2) These additional FTE staff years shall be in addition to the staffing level authorized in ESSB 3636. There shall be transferred to the department of corrections an amount of general fund appropriation, state and FTE staff years, the exact amount to be determined by the secretary of social and health services and the secretary of corrections subject to the approval of the director of the office of financial management.

Sec. 85. Section 42, chapter 137, Laws of 1981 as last amended by section 107, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

There is appropriated from the state general fund to the sentencing guidelines commission for the biennium ending June 30, 1983, the sum of five hundred ((ninety-eight)) eighty-six thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

Sec. 86. Section 16, chapter 268, Laws of 1981 as last amended by section 109, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund to the judicial qualifications commission for the biennium ending June 30, 1983 a sum of \$((254,000)) 248,000. \$4,000 of this appropriation is contingent upon \$4,000 of the compensation increase moneys provided to the commission under section 14, chapter 340, Laws of 1981, as amended, remaining in reserve status.

Sec. 87. Section 6, chapter 317, Laws of 1981 as last amended by section 110, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PATROL

General Fund Appropriation—State	\$	((+1,700,878))
		<u>11,408,000</u>
Motor Vehicle Fund—State Patrol Highway Account		
Appropriation—State	\$	90,391,815
Highway Safety Fund Appropriation—State	\$	9,000
Total Appropriation	\$	((+02,101,693))
		<u>101,808,815</u>

The appropriations contained in this section are subject to the following condition and limitation: The highway safety fund appropriation in this section is provided for the vehicle equipment safety commission.

Sec. 88. Section 8, chapter 137, Laws of 1981 as last amended by section 111, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—EXECUTIVE MANAGEMENT—PROGRAM Z—MANAGEMENT SERVICES—PROGRAM S

General Fund—Aeronautics Account Appropria-		
tion—State	\$	8,722
General Fund Appropriation—State	\$	((57,424))
		<u>56,000</u>
Motor Vehicle Fund—Puget Sound Capital Con-		
struction Account Appropriation—State	\$	525,462

Motor Vehicle Fund—Puget Sound Ferry Operations

Account Appropriation—State	\$	441,773
Motor Vehicle Fund Appropriation—State	\$	15,417,283
Total Appropriation	\$	<u>((16,450,664))</u>
		<u>16,449,240</u>

The appropriations contained in this section are provided for executive management, management services, and support costs of the department of transportation. The department of transportation may transfer any portion of the motor vehicle fund appropriations in this section between Programs S and Z.

Sec. 89. Section 11, chapter 317, Laws of 1981 as amended by section 111, chapter 14, Laws of 1981 2nd ex. sess. and by section 112, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is reenacted and amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC
TRANSPORTATION AND PLANNING—PROGRAM T

(1) For public transportation and rail programs:

General Fund Appropriation—State	\$	<u>((652,456))</u>
		<u>616,000</u>
General Fund Appropriation—Federal	\$	9,839,000
General Fund Appropriation—Local	\$	185,000

(2) For planning and research:

Motor Vehicle Fund Appropriation—State	\$	5,192,909
Motor Vehicle Fund Appropriation—Federal	\$	6,320,000

Total Public Transportation and Planning

Appropriation	\$	<u>((22,189,365))</u>
		<u>22,152,909</u>

The appropriations contained in this section are provided for the management and support of the public transportation and planning division, urban mass transportation administration programs, for rail programs, for state loans for formation of public transportation districts, for studies which support local public transportation programs, for maintenance of the state transportation plan, for highway planning and research by the department of transportation, and for research and studies approved by the department of transportation.

Sec. 90. Section 10, chapter 330, Laws of 1981 as last amended by section 113, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

(1) There is hereby appropriated from the general fund for the biennium ending June 30, 1983, to the legislative budget committee the sum of ((~~eighty-seven~~)) seventy-seven thousand dollars for the purpose of conducting a study of the judicial information system as provided in section 9 of this act.

(2) There is hereby appropriated from the general fund for the biennium ending June 30, 1983, to the office of the administrator for the courts the sum of seven million ((~~eight hundred twenty-five~~)) six hundred twenty-nine thousand dollars for the judicial information system.

NEW SECTION. Sec. 91. In order to ensure that the benefits to the state expected to be derived from the early retirement provisions of chapter 54, Laws of 1982 1st ex. sess. (SSHB No. 124) are in fact generated, no funds may be expended by any state agency for personal service contracts engaging any persons retired from state service under the provisions of that chapter. Exceptions to this section may be granted by written approval from the director of financial management.

This section shall expire on June 30, 1983.

NEW SECTION. Sec. 92. 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. 1. 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."

MOTION

On motion of Senator Scott, the Senate refused to concur in the House amendment to Senate Bill No. 5021 and asks the House to recede therefrom.

MOTION

On motion of Senator Clarke, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1246, by Committee on Ways and Means and Representatives Nelson (G), Isaacson, Kaiser and Stratton:

Repealing the single cell requirement for the Shelton correctional institution and reinstating it July 1, 1985.

MOTIONS

On motion of Senator Clarke, the rules were suspended, House Bill No. 1246 was advanced to second reading and read the second time in full.

Senator Talmadge moved adoption of the following amendment by Senators Talmadge, Woody and Benitz:

On page 1, beginning on line 6, strike all material down to and including "institution" on line 14 and insert as follows:

"Section 1. Section 9, chapter 214, Laws of 1959 and RCW 72.13.090 are each amended to read as follows:

Each prisoner in the correctional institution shall be provided with a single cell: PROVIDED, HOWEVER, The governor, at the request of the secretary of the department of corrections, may declare an emergency and authorize double celling in up to one half of the institution's cells for any period up to and including June 30, 1985. Cells designated for double celling shall be fitted with adequate bedding such that no prisoner shall be required to sleep on the floor: PROVIDED, FURTHER, That multiple type living arrangements may be provided in forestry or other labor camps maintained in conjunction with the institution."

Debate ensued.

The motion by Senator Talmadge failed and the amendment was not adopted on a rising vote.

On motion of Senator Clarke, the rules were suspended, House Bill No. 1246 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. 1246, and the bill passed the Senate by the following vote: Yeas, 34; nays, 13; excused, 2.

Voting yea: Senators Bauer, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gallagher, Gaspard, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McCaslin, Metcalf, Newhouse, Patterson, Quigg, Scott, Sellar, Vognild, von Reichbauer, Zimmerman—34.

Voting nay: Senators Chainley, Goltz, McDermott, Moore, Peterson, Rasmussen, Ridder, Shinpoch, Talmadge, Williams, Wilson, Wojahn, Woody—13.

Excused: Senators Pullen, Talley—2.

HOUSE BILL NO. 1246, having received the 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 BILL NO. 5027, by Senators Scott and McDermott:

Modifying excise taxes and extending the sales and use taxes to cable television businesses.

MOTIONS

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5027 was advanced to second reading.

On motion of Senator Clarke, Senate Bill No. 5027 was ordered held on second reading.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 5028, by Senator Lee:

Modifying provisions relating to the budget and accounting act.

MOTIONS

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5028 was advanced to second reading.

On motion of Senator Clarke, Senate Bill No. 5028 was ordered held on second reading.

At 12:02 a.m., Senator Rasmussen moved the Senate adjourn until 10:00 a.m., Thursday, July 1, 1982.

The motion by Senator Rasmussen failed on a rising vote.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 5012, by Senators Shinpoch, Scott and McDermott:

Modifying the public utility tax deduction on interstate transportation and transmissions.

MOTION

On motion of Senator Clarke, Senate Bill No. 5012 was referred to the Committee on Ways and Means.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 5022, by Senators Bauer, Zimmerman, Benitz, Hughes, Hurley and Talley:

Reducing fee for nonresident sales tax exemption permits.

Referred to Committee on Ways and Means.

SENATE BILL NO. 5023, by Senator Metcalf:

Authorizing school districts to reduce school year up to ten days and to negotiate reduction of certificated employees' compensation proportionately.

Referred to Committee on Ways and Means.

SENATE BILL NO. 5024, by Senator Metcalf:

Limiting expenditure of state funds to satisfy federal court ordered obligations.
Referred to Committee on Ways and Means.

SENATE BILL NO. 5025, by Senator Metcalf:

Imposing a tax on X-rated materials.
Referred to Committee on Ways and Means.

SENATE BILL NO. 5026, by Senators Deccio, Newhouse and Guess:

Modifying provisions relating to medical care.
Referred to Committee on Social and Health Services.

MOTIONS

On motion of Senator Clarke, all messages and bills considered by the Senate today were ordered immediately transmitted to the House.

At 12:33 a.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 12:51 a.m.

MOTION

12:52 a.m., on motion of Senator Clarke, the Senate adjourned until 10:00 a.m., Thursday, July 1, 1982.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

SIXTH DAY

MORNING SESSION

Senate Chamber, Olympia, Thursday, July 1, 1982.

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 Deccio, Gaspard, Hughes, Lysen, Pullen, Quigg and Ridder.

The Color Guard, consisting of Pages Elizabeth Woody and Hillary Williams, presented the Colors. Reverend Charles Loyer, retired pastor of Olympia, offered the prayer.

MOTION

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

MESSAGES FROM THE HOUSE

June 30, 1982.

Mr. President: The Speaker has signed: HOUSE BILL NO. 1246, and the same is herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

June 30, 1982.

Mr. President: The House has passed: ENGROSSED HOUSE BILL NO. 1251, and the same is herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

June 30, 1982.

Mr. President: The House has passed: ENGROSSED HOUSE BILL NO. 1253, and the same is herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

June 30, 1982.

Mr. President: The House has passed: HOUSE BILL NO. 1257, and the same is herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

June 30, 1982.

Mr. President: The House has passed: HOUSE BILL NO. 1255, and the same is herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: HOUSE BILL NO. 1246.

MOTION

On motion of Senator Clarke, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

ENGROSSED HOUSE BILL NO. 1253, by Committee on Ways and Means and Representative Chandler:

Modifying provisions relating to the capitol purchase and development account.

MOTIONS

On motion of Senator Clarke, the rules were suspended, Engrossed House Bill No. 1253 was advanced to second reading and read the second time in full.

On motion of Senator Clarke, the rules were suspended, Engrossed House Bill No. 1253 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. 1253, and the bill passed the Senate by the following vote: Yeas, 35; nays, 7; absent or not voting, 7.

Voting yea: Senators Bauer, Benitz, Bluechel, Clarke, Conner, Craswell, Fleming, Fuller, Gallagher, Goltz, Gould, Guess, Haley, Hansen, Hayner, Hemstad, Hurley, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Moore, Newhouse, Patterson, Peterson, Scott, Sellar, Talley, Talmadge, Vognil, von Reichbauer, Wilson, Woody, Zimmerman—35.

Voting nay: Senators Bottiger, Charnley, McDermott, Rasmussen, Shinpoch, Williams, Wojahn—7.

Absent or not voting: Senators Deccio, Gaspard, Hughes, Lysen, Pullen, Quigg, Ridder—7.

ENGROSSED HOUSE BILL NO. 1253, having received the 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 HOUSE BILL NO. 1251, by Committee on Human Services and Representatives Struthers, Monohon, Erak, Owen, Ehlers, Heck, King (J.), Martinis, Brown, Warnke, Sherman, Gallagher, McCormick and Stratton:

Establishing a state lottery.

MOTIONS

On motion of Senator Clarke, the rules were suspended, Engrossed House Bill No. 1251 was advanced to second reading and read the second time in full.

On motion of Senator Clarke, the rules were suspended, Engrossed House Bill No. 1251 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

MOTION

At 10:13 a.m., on motion of Senator Clarke, the Senate was declared to be at ease.

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

MOTION

On motion of Senator Clarke, the Senate resumed consideration of Engrossed House Bill No. 1251 establishing a state lottery on final passage.

Debate ensued.

Senators Peterson, Talley and Newhouse 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 House Bill No. 1251.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1251, and the bill passed the Senate by the following vote: Yeas, 30; nays, 19.

Voting yea: Senators Bauer, Bottiger, Charnley, Clarke, Conner, Deccio, Fleming, Fuller, Gallagher, Gaspard, Haley, Hansen, Hughes, Hurley, Jones, Kiskaddon, Lysen, McCaslin, McDermott, Moore, Patterson, Peterson, Quigg, Shipoch, Talley, Talmadge, Vognild, von Reichbauer, Williams, Woody—30.

Voting nay: Senators Benitz, Bluechel, Craswell, Goltz, Gould, Guess, Hayner, Hemstad, Lee, Metcalf, Newhouse, Pullen, Rasmussen, Ridder, Scott, Sellar, Wilson, Wojahn, Zimmerman—19.

ENGROSSED HOUSE BILL NO. 1251, having received the constitutional sixty percent 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 Clarke, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

June 30, 1982.

Mr. President: The House receded from its amendment to SENATE BILL NO. 5021. Under suspension of rules, the bill was returned to second reading for purpose of amendment, and the House has passed the bill with the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 4, chapter 340, Laws of 1981 as last amended by section 2, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation \$ ((+303,000))
1,149,000

The appropriation in this section is subject to the following condition((s and)) or limitation((s)): ((+)) \$50,000 is provided solely for the study of duplication of courses and programs in higher education. The study shall include, but not be limited to: (a) Undergraduate, graduate, professional, vocational, research, and extension programs; and (b) programs offered by universities, colleges, community colleges, and vocational-technical institutes. The committee may contract with the council for postsecondary education to perform this study.

~~((2) \$125,000 is provided solely for a grant to study the structure and management of education systems, kindergarten through higher education, in the manner outlined in Reengrossed Senate Bill No. 3609. Of this amount, \$25,000 is provided directly for the study and up to \$100,000 may be used as matching funds for private moneys received for the same purpose:))~~

Sec. 2. Section 5, chapter 340, Laws of 1981 as last amended by section 3, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund Appropriation \$ ~~((1,145,000))~~
1,116,000

Sec. 3. Section 6, chapter 340, Laws of 1981 as last amended by section 4, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE STATE ACTUARY

General Fund Appropriation \$ ~~((287,000))~~
280,000

Sec. 4. Section 7, chapter 340, Laws of 1981 as last amended by section 5, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATUTE LAW COMMITTEE

General Fund Appropriation \$ ~~((4,147,000))~~
4,043,000

Sec. 5. Section 8, chapter 340, Laws of 1981 as last amended by section 6, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPREME COURT

General Fund Appropriation \$ ~~((5,630,000))~~
5,522,000

The appropriation in this section is subject to the following condition or limitation: \$1,325,000 is provided solely for indigent appeal cases.

Sec. 6. Section 9, chapter 340, Laws of 1981 as last amended by section 7, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LAW LIBRARY

General Fund Appropriation \$ ~~((1,608,000))~~
1,568,000

The appropriation in this section is subject to the following condition or limitation: All nonstate agency users of the Westlaw system shall be charged a service fee sufficient to cover the costs of their usage.

Sec. 7. Section 10, chapter 340, Laws of 1981 as last amended by section 8, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund Appropriation \$ ~~((7,720,000))~~
7,527,000

The appropriation in this section is subject to the following condition or limitation: \$1,273,000 is provided solely for lease and associated costs for Division I relocation, and no other moneys may be expended for these purposes.

Sec. 8. Section 11, chapter 340, Laws of 1981 as last amended by section 9, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund Appropriation \$ ~~((10,295,000))~~
10,222,000

General Fund—Judiciary Education Account Appropriation \$ 359,000

Total Appropriation \$ ~~((10,654,000))~~
10,581,000

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

(1) A maximum of \$8,185,000 of the general fund appropriation may be spent for the superior court judges, including prior claims. Of this amount, ~~\$(310,000)~~ 280,000 is provided solely for criminal cost bills, including prior claims; \$300,000 is provided solely for mandatory arbitration costs, including prior claims; and \$114,000 is provided solely for judges pro tempore for the superior courts. The administrator for the courts shall authorize and approve all such expenditures.

(2) Effective July 1, 1982, costs associated with the operation of the judicial council shall be borne by the administrator for the courts.

Sec. 9. Section 12, chapter 340, Laws of 1981 as last amended by section 10, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE JUDICIAL COUNCIL

General Fund Appropriation	\$	((+29,000))
		<u>126,000</u>

The appropriation in this section is subject to the following condition or limitation: ~~\$((+29,000))~~ 126,000 is provided solely for fiscal year 1982.

Sec. 10. Section 13, chapter 340, Laws of 1981 as last amended by section 11, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR

General Fund Appropriation—State	\$	((3,099,000))
		<u>3,022,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$2,851,000 of the state general fund appropriation may be spent for executive operations.

(2) A maximum of \$193,000 of the state general fund appropriation may be spent for extradition expenses to carry out the provisions of RCW 10.34.030 providing for the return of fugitives by the governor, including prior claims and for extradition-related legal services as determined by the attorney general.

(3) A maximum of \$151,000 of the state general fund appropriation is provided solely for mansion maintenance, and no other moneys may be expended for this purpose.

(4) A maximum of \$1,000 of the state general fund appropriation may be spent for implementation of the corporate responsibilities award program under which appropriate recognition shall be awarded by the governor to those private businesses or corporations which contribute at least two percent of their before-tax profit to programs which result in a reduction in state government costs, especially those programs which aid the poor and infirm.

Sec. 11. Section 14, chapter 340, Laws of 1981 as last amended by section 12, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE GOVERNOR—SPECIAL APPROPRIATIONS

General Fund Appropriation—State	\$	((+2,569,000))
		<u>112,515,000</u>
General Fund Appropriation—Federal	\$	20,446,000
Special Fund Salary and Insurance Contribution		
Increase Revolving Fund Appropriation	\$	40,972,000
Total Appropriation	\$	((+73,987,000))
		<u>173,933,000</u>

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

(1) A maximum of ~~\$((2,180,000))~~ 2,126,000 is for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency.

(2) (a) A maximum of \$100,984,000 of general fund moneys (including \$15,284,000 in federal funds) may be expended to implement salary increases, effective October 1, 1981, averaging 7.5% for higher education classified employees and 7.2% for commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of

higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board); and effective June 30, 1983, a salary increase averaging 7.0% for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board): PROVIDED, That the October 1, 1981, salary increase for higher education classified employees and state personnel board classified and exempt employees shall implement the salary ranges adopted by the higher education and state personnel boards resulting from the 1980 salary survey (catch-up results): PROVIDED, That increases granted in this subsection for higher education faculty and administrative exempt employees are inclusive of increments: PROVIDED FURTHER, That exclusive of merit pool and Washington state university (143) increase funds no higher education institution or community college district may grant from any fund source whatsoever any salary increases greater than that provided in this subsection.

(b) A maximum of \$29,851,000 of general fund moneys (including \$5,162,000 in federal funds) may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$22,339,000 of this amount (including \$3,947,000 in federal funds) may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$7,512,000 of this amount (including \$1,215,000 in federal funds) may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee.

(c) A maximum of \$31,440,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect salary increases for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board) calculated in accordance with the procedures outlined in subsection (2)(a) of this section.

(d) A maximum of \$9,532,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$7,289,000 of this amount may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$2,243,000 of this amount may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee. Any moneys resulting from a dividend or refund attributable to the experience of an insurance or health care plan calculated at the end of the contract year shall not be used to increase employee insurance benefits over the level of services provided on April 20, 1982.

(e) To facilitate payment of state employee salary increases from special funds and to facilitate payment of state employee insurance benefit increases from special

funds, the state treasurer is directed to transfer sufficient income from each special fund to the special fund salary and insurance contribution increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

(f) Notwithstanding any other provision of this subsection (2), Walla Walla community college may fund additional actual increments or their equivalents in salaries for each year of the biennium to equalize salaries to the state-wide average salaries as reflected by the average base salary of the annually contracted professional personnel of the Washington community colleges.

Sec. 12. Section 15, chapter 340, Laws of 1981 as last amended by section 13, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LIEUTENANT GOVERNOR

General Fund Appropriation	\$	((197,000))
		<u>192,000</u>

Sec. 13. Section 16, chapter 340, Laws of 1981 as last amended by section 14, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund Appropriation	\$	((3,730,000))
		<u>3,674,000</u>

Archives and Records Management Account Appropria- tion	\$	1,135,000
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Total Appropriation	\$	((4,865,000))
		<u>4,809,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$923,000 is provided solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising of state measures, and the publication and distribution of the voters and candidates pamphlet.

(2) \$559,000 is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures.

(3) \$24,000 is provided solely for costs associated with redistricting.

Sec. 14. Section 17, chapter 340, Laws of 1981 as amended by section 18, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS, THE COMMISSION ON ASIAN-AMERICAN AFFAIRS, AND THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

Commission on Mexican-American Affairs

General Fund Appropriation	\$	((105,000))
		<u>102,000</u>

Commission on Asian-American Affairs

General Fund Appropriation	\$	((105,000))
		<u>102,000</u>

Governor's Office of Indian Affairs

General Fund Appropriation	\$	((105,000))
		<u>102,000</u>

Total Appropriation	\$	((315,000))
		<u>306,000</u>

The appropriations in this section are subject to the following condition and limitation: The position of executive director for each commission or office shall be retained. The agencies for which appropriations are provided by this section shall jointly fund a common secretarial/clerical pool and consolidate their respective office spaces upon expiration of current lease agreements.

Sec. 15. Section 19, chapter 340, Laws of 1981 as last amended by section 18, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE AUDITOR

General Fund Appropriation—State	\$	((1,849,000))
		<u>1,803,000</u>
General Fund Appropriation—Federal	\$	352,000
General Fund Appropriation—Private/Local	\$	48,000
Motor Vehicle Fund Appropriation	\$	267,000
Auditing Services Revolving Fund Appropriation	\$	5,265,000
Total Appropriation	\$	((7,781,000))
		<u>7,735,000</u>

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

(1) The division of municipal corporations shall give high priority to examining the accuracy of local school district reporting of staff mix and enrollment data for state reimbursement purposes. Beginning with the 1981-82 school year, any significant inaccuracies shall be reported to the attorney general and the superintendent of public instruction. The superintendent shall take action to recover any overpayment which results from the reporting of inaccurate data.

(2) No general fund moneys may be expended for the training of municipal auditors or other local personnel.

(3) Legal costs incurred by the attorney general to insure compliance with the findings of the state auditor in state agency audits shall be charged to the agency that received the audit.

(4) The total of all billings submitted to state agencies shall reflect a 10.1% reduction from the original budget preparation estimates submitted to the ways and means committee of the senate and house of representatives in the 1981 regular session of the legislature. Such reduction shall be offset by an amount not to exceed \$338,000 which reflects the impact of salary and insurance costs not provided to the Auditing Services Revolving Fund in the original budget.

Sec. 16. Section 20, chapter 340, Laws of 1981 as amended by section 20, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund Appropriation	\$	((3,956,000))
		<u>3,857,000</u>
Legal Services Revolving Fund Appropriation	\$	18,537,000
Total Appropriation	\$	((22,493,000))
		<u>22,394,000</u>

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

(1) \$150,000 of the general fund appropriation is provided solely for the continuation of the crime watch program.

(2) Net savings of state general fund moneys realized by agencies as a result of the 5% reduction in legal services revolving fund billings shall be placed in reserve status by the director of financial management. These funds shall not be expended until appropriated by law.

Sec. 17. Section 21, chapter 340, Laws of 1981 as last amended by section 21, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund Appropriation—State	\$	((12,674,000))
		<u>12,442,000</u>
General Fund Appropriation—Federal	\$	6,300,000
Total Appropriation	\$	((18,974,000))
		<u>18,742,000</u>

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

(1) \$675,000 of the general fund—state appropriation is provided solely for the completion of the higher education personnel/payroll system.

(2) \$70,000 of the general fund—state appropriation is provided solely for the payment of assessments against state-owned land.

(3) \$1,821,000 of the general fund—state appropriation is provided solely for the completion, implementation, and operation of the state budget and accounting systems development.

(4) A maximum of \$1,553,000 of the general fund—state appropriation is provided for payment of supplies and services furnished in previous biennia.

(5) \$5,000 of the general fund—state appropriation is provided solely for payment of claims against the state.

(6) \$5,000 of the general fund—state appropriation is provided solely as state matching funds for federal law enforcement assistance administration (LEAA) carry forward funds for local government projects.

Sec. 18. Section 24, chapter 340, Laws of 1981 as last amended by section 23, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DATA PROCESSING AUTHORITY (OR SUCCESSOR AGENCY)

General Fund Appropriation	\$	((386,000))
		<u>376,000</u>
Data Processing Revolving Fund Appropriation	\$	418,000
Total Appropriation	\$	((804,000))
		<u>794,000</u>

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

(1) The general fund appropriation is provided solely for fiscal year 1982.

(2) The data processing revolving fund appropriation is provided solely for fiscal year 1983. In making expenditures from this appropriation, the agency shall first exhaust all available funds in the equipment pool account within the data processing revolving fund before expending any other moneys in the revolving fund. After the fund balance in the equipment pool account has been expended, the data processing authority shall bill and collect from the service centers an amount equal to the remaining appropriation authority under this section and any applicable salary and benefit increase allocation.

Sec. 19. Section 25, chapter 340, Laws of 1981 as last amended by section 24, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMITTEE FOR DEFERRED COMPENSATION

General Fund Appropriation	\$	((30,000))
		<u>29,000</u>

Sec. 20. Section 26, chapter 340, Laws of 1981 as last amended by section 25, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund Appropriation	\$	((36,074,000))
		<u>35,809,000</u>
General Fund—State Timber Tax Reserve Account		
Appropriation	\$	2,794,000
Motor Vehicle Fund Appropriation	\$	110,000
Total Appropriation	\$	((38,978,000))
		<u>38,713,000</u>

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

(1) \$393,000 of the state timber tax reserve account appropriation is provided solely for reimbursement to counties with timberland for the costs of establishing forest land grades for each parcel of classified or designated forest land.

(2) The department of revenue shall maintain advisory appraisals as required by RCW 84.41.060.

(3) The department of revenue shall add one full time equivalent staff year for the ((1982)) 1983 fiscal year only to help conduct a new study of the financial impact of tax exemptions and a review of the effectiveness and problems of the current use law.

(4) That portion of the general fund—state appropriation which is allotted to the inheritance tax division for fiscal year 1983 is reduced by \$125,000 in this 1981 amendatory act in recognition of the passage of Initiative No. 402 and the resultant workload decrease in the inheritance tax division.

(5) \$2,310,000 of the general fund—state appropriation is provided solely for costs incurred by the excise tax division and the interpretation and appeals division as a result of the expanded effort at revenue recovery and appeals resolution.

(6) The department of revenue shall make every effort to implement the 1982 revisions to this section by making program reductions which will cause minimal loss of state revenues.

Sec. 21. Section 27, chapter 340, Laws of 1981 as last amended by section 26, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF TAX APPEALS

General Fund Appropriation	\$	((558,000))
		<u>837,000</u>

Sec. 22. Section 28, chapter 340, Laws of 1981 as last amended by section 27, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation—State	\$	((6,310,000))
		<u>6,152,000</u>
General Fund Appropriation—Private/Local	\$	89,000
General Fund—Motor Transport Account Appropria- tion	\$	8,688,000
General Administration Facilities and Services Revolv- ing Fund Appropriation	\$	13,378,000
Total Appropriation	\$	((28,465,000))
		<u>28,307,000</u>

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

(1) The department of general administration shall not expend any of the general fund appropriation for the replacement of motor transport division vehicles.

(2) The department of general administration shall provide insurance coverage for all state-owned, state-chartered, state-rented, or state employee-owned aircraft being used on authorized state business, including passengers. This coverage shall be in force for all such aircraft whether piloted by a state employee or employees of a charter or rental firm. The department may require reimbursement for premium costs from user agencies on a pro rata basis.

(3) The department of agriculture shall transfer \$21,000 from its local fund accounts to the motor transport account. The state treasurer shall transfer to the motor transport account \$29,000 from the grain and hay inspection fund, \$8,000 from the community college capital projects account, and \$24,000 from the highway safety fund. These transfers shall be in accordance with schedules provided by the office of financial management.

Sec. 23. Section 29, chapter 340, Laws of 1981 as last amended by section 28, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE INSURANCE COMMISSIONER

General Fund Appropriation	\$	((7,043,000))
		<u>6,867,000</u>

The appropriation in this section is subject to the following condition or limitation: \$70,000 is provided solely for work associated with the revisions to the valuation and nonforfeiture statutes as contained in chapter 9, Laws of 1982 1st ex. sess.

Sec. 24. Section 33, chapter 340, Laws of 1981 as last amended by section 30, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund Appropriation	\$	((870,000))
		<u>848,000</u>

Sec. 25. Section 36, chapter 340, Laws of 1981 as last amended by section 31, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation	\$	((539,000))
		<u>534,000</u>

The appropriation in this section is subject to the following condition or limitation: The board of accountancy shall not restrict entrance to CPA examinations as a result of reductions in state funding.

Sec. 26. Section 37, chapter 340, Laws of 1981 as last amended by section 32, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE BOXING COMMISSION

General Fund Appropriation	\$	((62,000))
		<u>60,000</u>

Sec. 27. Section 41, chapter 340, Laws of 1981 as last amended by section 34, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PHARMACY BOARD

General Fund Appropriation	\$	((937,000))
		<u>914,000</u>

The appropriation in this section is subject to the following condition or limitation: No moneys appropriated in this section may be expended for continuation of the diversion investigation unit.

Sec. 28. Section 44, chapter 340, Laws of 1981 as last amended by section 35, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF EMERGENCY SERVICES

General Fund Appropriation—State	\$	((975,000))
		<u>957,000</u>
General Fund Appropriation—Federal	\$	2,227,000
Total Appropriation	\$	((3,202,000))
		<u>3,184,000</u>

The appropriations in this section are subject to the following condition or limitation: \$242,000 of the general fund—state appropriation is provided solely to reimburse the federal emergency management agency for the state's share of costs of individual and family grants provided for disaster relief: PROVIDED, That the department of emergency services, in conjunction with the department of social and health services, will reinstate an appeal process to the federal emergency management agency with respect to the \$87,102 in audit exceptions relative to the 1977 floods.

Sec. 29. Section 45, chapter 340, Laws of 1981 as last amended by section 36, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

General Fund Appropriation—State	\$	((6,140,000))
		<u>5,987,000</u>

General Fund Appropriation—Federal	\$	1,764,000
Total Appropriation	\$	((7,904,000))
		<u>7,751,000</u>

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

(1) \$279,000 of the general fund—state appropriation is provided solely for the continuation of the educational assistance grant program, of which a maximum of \$10,000 may be expended for administrative costs.

(2) \$32,000 of the general fund—state appropriation is provided solely for the Washington state guard.

(3) The military department shall make every effort to implement the 1982 revisions to this section by reducing programs whose funding does not affect the receipt of federal grants or contracts.

Sec. 30. Section 46, chapter 340, Laws of 1981 as last amended by section 37, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund Appropriation	\$	((1,138,000))
		<u>1,110,000</u>

Sec. 31. Section 48, chapter 340, Laws of 1981 as last amended by section 39, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

General Fund Appropriation	\$	((43,419,000))
		<u>42,299,000</u>

The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$~~((15,038,000))~~ 13,918,000 is provided solely to contract with nonprofit corporations to provide diversionary programs and operate and/or contract for work/training release for convicted felons: PROVIDED, That \$999,000 of this appropriation is provided solely for pre-trial diversion and the continuation of the alternatives to street crime programs in Snohomish, Pierce and Clark counties. Such funds shall be distributed to the counties in a timely manner: PROVIDED FURTHER, That \$375,000 of this appropriation is provided solely for the continuation of 50 work/training release beds at the Progress House Association of Tacoma.

(b) \$~~((2,479,000))~~ 2,419,000 is provided solely for intensive parole.

(c) \$~~((21,777,000))~~ 21,519,000 is provided solely for probation and parole.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation	\$	149,390,000
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The appropriation in this subsection is subject to the following conditions and limitations:

(a) The department of corrections shall present to the legislature by October 12, 1981, a comprehensive institutional educational policy. This report shall explain the basis for selection of educational programs and participation and shall outline program and payment policies for contracting for educational services. The report shall include, but is not limited to, a detailing by month for each institution of the programs, program goals, staffing, costs per offering, and actual and estimated inmate participation.

(b) It is the intent of the legislature that custody staff at adult correctional institutions not be reduced below the levels existing on June 1, 1982.

(c) It is the assumption of the legislature that the appropriation in this subsection initially provides:

- (i) \$24,731,000 for the Washington Corrections Center, excluding funds related to court orders under Hoptowit v. Ray, No. 79-359 (E. D. Wash.);
- (ii) \$38,312,000 for the Washington State Penitentiary, excluding funds relating to court orders under Hoptowit v. Ray, No. 79-359 (E. D. Wash.);
- (iii) \$1,010,000 for the Monroe mental health unit;
- (iv) \$24,990,000 for the Washington State Reformatory;
- (v) \$8,269,000 for the Purdy Treatment Center for Women;
- (vi) \$20,816,000 for the McNeil Island Penitentiary;
- (vii) \$9,090,000 for the Special Offenders Center;
- (viii) Funds for other costs associated with honor camps and the Pine Lodge Corrections Center.

(3) PROGRAM SUPPORT

General Fund Appropriation	\$	((14,344,000))
		<u>13,646,000</u>
General Fund—Institutional Impact Account Appropriation	\$	525,000
Total Appropriation	\$	((14,869,000))
		<u>14,171,000</u>

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

(a) \$500,000 is provided solely for individual legal services. There shall be no solicitation of legal action and all informal means of resolving disputes shall be utilized. These funds shall not be used to support class action litigation.

(b) \$2,902,000 is provided solely for costs directly resulting from the decision in Hoptowit v. Ray, No. 79-359 (E. D. Wash.): PROVIDED, That no expenditure of funds may be made without the signature of the agency's assistant attorney general on the authorizing document.

(c) \$1,557,000 for fiscal year 1982 and \$4,902,000 for fiscal year 1983 are provided solely to address population overrun in excess of current bed capacity. Such funds shall be released only with the approval of the director of financial management in consultation with the committees on ways and means of the senate and house of representatives.

(d) \$1,079,000 is provided solely for the one-time cost impact to communities associated with locating additional state correctional facilities.

(4) Funds may be transferred from program support to institutional services for costs associated with Hoptowit v. Ray, No. 79-359 (E. D. Wash.), and population overruns to the extent provided for in this section.

(5) The department of corrections shall in conjunction with the office of financial management and the committees on ways and means of the senate and house of representatives develop staff-to-inmate ratios or a system of post assignment for each correctional unit by August 1, 1981. By September 1, 1981, a written report on proposed staffing levels shall be presented to the legislature comparing this staffing to prior biennial levels and discussing its programmatic and fiscal implications.

Sec. 32. Section 49, chapter 340, Laws of 1981 as amended by section 43, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
JUVENILE REHABILITATION PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	19,010,000
General Fund Appropriation—Federal	\$	57,000
Total Appropriation	\$	19,067,000

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

(a) \$1,228,000 of the general fund—state appropriation is provided solely for community diagnostic services.

(b) \$700,000 from the general fund—state appropriation is provided solely for additional group home beds.

(c) \$224,000 is provided solely to establish a special treatment program for violent assault offenders in community programs.

(d) \$175,000 from the general fund—state appropriation is provided solely to increase the bed capacity of state-operated group homes.

(e) \$8,104,000 is provided solely for consolidated local programs. It is the intent of this funding to reduce existing program categorical barriers for funding and services and to support coordinated community-based treatment programs designed to more effectively and efficiently rehabilitate youthful offenders while protecting society. The department of social and health services shall report to the legislature by January 15, 1982, on the services funded under this program and the success of the programs in preventing institutionalization and reducing recidivism.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((35,443,000))
		<u>35,168,000</u>
General Fund Appropriation—Federal	\$	682,000
Total Appropriation	\$	((36,125,000))
		<u>35,850,000</u>

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

(a) \$428,000 is provided solely for a violent assault offender unit at the Green Hill School.

(b) It is the assumption of the legislature that the appropriations in this subsection initially provide:

(i) \$10,046,000 (including \$9,834,000 from the state general fund) for the Echo Glen Children's Center to operate at least twelve cottages;

(ii) \$8,646,000 (including \$8,456,000 from the state general fund) for the Maple Lane School to operate at full bed capacity;

(iii) \$10,095,000 (including \$9,965,000 from the state general fund) for the Green Hill School to operate at full bed capacity;

(iv) \$4,483,000 (including \$4,393,000 from the state general fund) for the Naselle Youth Camp to operate at full bed capacity; and

(v) \$2,855,000 (including \$2,795,000 from the state general fund) for the Mission Creek Youth Camp to operate at full bed capacity.

(3) PROGRAM SUPPORT

General Fund Appropriation	\$	1,889,000
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Sec. 33, Section 50, chapter 340, Laws of 1981 as last amended by section 40, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES— MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	((52,911,000))
		<u>52,311,000</u>
General Fund Appropriation—Federal	\$	((14,759,000))
		<u>14,660,000</u>
General Fund Appropriation—Local	\$	922,000
Total Appropriation	\$	((68,592,000))
		<u>67,893,000</u>

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

(a) \$48,948,000 of which ~~\$(34,613,000)~~ 34,262,000 is from the general fund—state appropriation is provided solely for community mental health services. Of this amount, \$1,150,000 of the general fund—state appropriation is provided solely for 90 new residential treatment facility beds: PROVIDED, That Substitute House Bill No. 353 is passed during the 1981 legislative session: PROVIDED FURTHER, That if Substitute House Bill No. 353 should not pass, the funds provided for these beds shall be transferred to the institutional category of the mental health divisions appropriation. These beds are to be phased in according to the following schedule: 30 beds available January 1, 1982; an additional 30 beds available July 1, 1982; and an additional 30 beds available January 1, 1983. The department of social and health services shall contract for these beds at a rate not exceeding \$35.00 per day. These beds shall serve the chronically mentally ill.

(b) \$19,644,000 of which \$18,298,000 is from the general fund—state appropriation is provided solely for Involuntary Treatment Act cosis. Up to \$2,200,000 of the general fund—state appropriation is provided for 60 new evaluation and treatment beds. These beds are for 72-hour and 14-day commitments. All 60 beds shall be available no later than January 1, 1983. The department of social and health services shall contract for these beds at a rate not to exceed \$50.00 per day.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((77,511,000))
		<u>77,354,000</u>
General Fund Appropriation—Federal	\$	5,085,000
Total Appropriation	\$	((82,596,000))
		<u>82,439,000</u>

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

(a) \$49,931,000, of which \$47,464,000 is from state funds, is provided solely for Western State Hospital.

(b) \$24,410,000, of which \$22,717,000 is from state funds, is provided for Eastern State Hospital.

(c) \$4,856,000, of which \$4,105,000 is from state funds, is provided solely for the PORTAL program at the Northern State facility. The secretary of social and health services shall prepare a report for submittal to the legislature by October 1, 1982, on the feasibility and method for implementing the residential treatment program utilized by PORTAL, in communities around the state.

(d) \$3,399,000, of which \$3,225,000 is from state funds, is provided solely for the child study and treatment center.

(e) Upon completion of the new hospital beds at the state hospitals, the department may, by contract, allow other public agencies to utilize the beds made surplus by the opening of the new facility if those agencies provide the funds to cover the full cost of such operation. The hospital shall account for these patients separately from state-supported patients. The care of these patients shall not be subject to the staff-to-patient ratio required in this act.

(f) It is the intent of the legislature that direct patient care services at mental health institutions not be reduced below the levels existing on June 1, 1982.

(3) SPECIAL PROJECTS

General Fund Appropriation—State	\$	1,410,000
General Fund Appropriation—Federal	\$	320,000
Total Appropriation	\$	1,730,000

The appropriations in this subsection are subject to the following condition or limitation: \$579,000 from the general fund—state appropriation is provided solely for the continuation of the case management projects in Snohomish, King, Pierce, and Clark counties, and such other counties as funds allow: PROVIDED, That each county receiving these funds shall develop a method of funding case management within its 1983-85 grant-in-aid awards.

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$	1,851,000
General Fund Appropriation—Federal	\$	549,000
Total Appropriation	\$	2,400,000

Sec. 34. Section 51, chapter 340, Laws of 1981 as last amended by section 41, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
DEVELOPMENTAL DISABILITIES PROGRAM**

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	((46,778,000))
		45,982,000
General Fund Appropriation—Federal	\$	((9,434,000))
		8,934,000
Total Appropriation	\$	((56,212,000))
		54,916,000

((The appropriations in this subsection are subject to the following condition or limitation: \$1,000,000 of which \$500,000 is from federal funds is provided solely for the fragile children's program to be implemented during fiscal year 1982. PROVIDED, That a maximum of \$70,000 of these moneys may be expended for start-up costs for group homes. PROVIDED, That up to \$35,000 may be expended to develop a Title XIX waiver plan for community services. If the fragile children's program is not developed by January 1, 1983, then these funds shall revert to the general fund except for those funds expended for group home start-up costs and the Title XIX waiver:))

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((83,528,000))
		82,904,000
General Fund Appropriation—Federal	\$	((49,036,000))
		48,829,000
Total Appropriation	\$	((132,564,000))
		131,733,000

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

(a) The department of social and health services in conjunction with the superintendent of public instruction and a legislative study committee shall study the services provided by the School for the Deaf and the School for the Blind. The study shall be prepared in consultation with the parents of students enrolled in these schools as well as members of the deaf and blind community. The study shall include the role these schools play in the provision of education to sensory handicapped pupils in the state. The study shall further include an assessment of the advantages and disadvantages of continuing the operation of the schools; changing the operation of the schools; and closing the schools and serving the students through public schools' special programs. The report shall be completed and submitted to the legislature for review by December 30, 1981.

(b) It is the assumption of the legislature that the appropriations in this subsection initially provide:

- (i) \$32,544,000 for the Fircrest School to operate at a biennial average daily population of 491;
- (ii) \$15,264,000 for the Interlake School to operate at a biennial average daily population of 248;
- (iii) \$34,237,000 for the Rainier School to operate at a biennial average daily population of 531;
- (iv) \$24,651,000 for Lakeland Village to operate at a biennial average daily population of 359;
- (v) \$10,020,000 for the Yakima Valley School to operate at a biennial average daily population of 148;
- (vi) \$3,921,000 for the Francis Haddon Morgan Children's Center to operate at a biennial average daily population of 55; and
- (vii) \$1,117,000 for the Cerebral Palsy Center to operate at a biennial average daily population of 16.

(3) SPECIAL PROJECTS

General Fund Appropriation—State	\$ 984,000
General Fund Appropriation—Federal	\$ 2,397,000
Total Appropriation	\$ 3,381,000

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$ ((3,056,000))
	<u>2,962,000</u>
General Fund Appropriation—Federal	\$ ((227,000))
	<u>209,000</u>
Total Appropriation	\$ ((3,283,000))
	<u>3,171,000</u>

Sec. 35. Section 52, chapter 340, Laws of 1981 as last amended by section 42, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
NURSING HOMES PROGRAM**

General Fund Appropriation—State	\$ ((167,275,000))
	<u>164,790,000</u>
General Fund Appropriation—Federal	\$ ((167,327,000))
	<u>164,842,000</u>
Total Appropriation	\$ ((334,602,000))
	<u>329,632,000</u>

The appropriations in this section are subject to the following condition or limitation: This appropriation assumes passage of Senate Bill No. 3765 and a two-year delay of implementation of chapter 74.46 RCW.

Sec. 36. Section 53, chapter 340, Laws of 1981 as last amended by section 43, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
INCOME MAINTENANCE GRANTS PROGRAM**

General Fund Appropriation—State	\$ ((308,198,000))
	<u>305,304,000</u>
General Fund Appropriation—Federal	\$ ((319,194,000))
	<u>316,762,000</u>
Total Appropriation	\$ ((627,392,000))
	<u>622,066,000</u>

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

(1) \$20,000,000 is provided solely for implementation of the consolidated emergency assistance program to provide specifically directed cash or in-kind benefits to meet the specific emergent need(s) of the applicant. Aid may be provided for up to two months in any consecutive twelve-month period to low-income families with children who are ineligible for other state or federal assistance. It is the intent of the legislature that eligibility requirements shall be stricter than AFDC requirements. The department of social and health services shall immediately apply for waivers under Title XI, section 1115 of the federal social security act to allow federal matching funds to be used for the consolidated emergency assistance program as provided for in this section and in chapter 74.04 RCW (Senate Bill No. 4299).

(2) \$45,282,000 of the general fund—state appropriation is provided solely for income maintenance grants for the general assistance—unemployable program.

(3) The department of social and health services shall immediately evaluate federal proposals which are presently legal options to the states and implement those which are found to be cost-effective. In addition, the department shall seek waivers for any specific federal proposals which are cost-effective and are not now authorized. When waivers are obtained, changes shall be implemented. The department of social and health services shall provide proper notification, in accordance with state and federal laws and regulations, of any changes that are implemented. Furthermore, the department of social and health services shall draft rules to implement enacted changes to Title IV-A of the federal social security act prior to the issuance of federal regulations in order to avoid overexpenditure of state funds.

(4) The department of social and health services shall submit a report no later than November 2, 1981, to the committees on ways and means, social and health services, and human services of the senate and house of representatives detailing the implementation schedule and fiscal and program impact of these changes.

(5) It is the assumption of the legislature that the appropriations in this section initially provide:

- (a) \$44,220,000 from federal funds for energy assistance;
- (b) \$61,220,000 from federal funds for Indochinese refugees;
- (c) \$20,000,000 from the state general fund for the consolidated emergency assistance program;
- (d) \$453,334,000 (including \$219,086,000 from the state general fund) for aid to families with dependent children, with a caseload assumption for fiscal year 1982 of 59,890 cases and a caseload assumption for fiscal year 1983 of 61,797 cases;
- (e) \$31,103,000 from the state general fund for the supplemental security income state supplement;
- (f) \$53,428,000 from the state general fund for general assistance, with a caseload assumption for fiscal year 1982 of 9,075 cases and a caseload assumption for fiscal year 1983 of 9,692 cases;
- (g) \$2,034,000 from the state general fund for supplemental security income—additional requirements;
- (h) \$2,116,000 from the state general fund for burial assistance;
- (i) \$2,361,000 (including \$1,475,000 from the state general fund) for employment and training day-care; and
- (j) \$2,468,000 (including \$247,000 from the state general fund) for work incentive payments.

Sec. 37. Section 54, chapter 340, Laws of 1981 as last amended by section 44, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
COMMUNITY SOCIAL SERVICES GRANTS PROGRAM**

General Fund Appropriation—State \$ ((+31,151,000))
127,518,000

General Fund Appropriation—Federal	\$	((60,976,000))
		<u>60,904,000</u>
General Fund Appropriation—Local	\$	105,000
Total Appropriation	\$	((192,232,000))
		<u>188,527,000</u>

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

(1) ~~\$((41,511,000))~~ 39,170,000 of which \$16,044,000 is from federal funds is provided solely for the provision of chore services to persons at risk of institutionalization who meet the eligibility criteria in RCW 74.08.541, and for the support of programs utilizing volunteers to provide chore services. Out of these moneys, a limited chore service program shall be provided in which services are provided solely on an hourly basis, with a monthly lid on chore service hours which may be authorized. Also out of these moneys, chore services shall be provided to clients in need of attendant care whose services are authorized on a monthly rate basis. The department of social and health services shall immediately seek waivers which allow the use of Title XX funds in a funded program. Within available funds, the department of social and health services shall ensure that the portion of chore services provided in accordance with RCW 74.08.541 is sufficient to ensure that the client's remaining income after purchasing his or her share of chore services is not less than 30% of the state median income adjusted for family size. Chore services may additionally be provided out of these moneys on a case-by-case exception-to-policy basis to severely handicapped persons in need of attendant care whose income exceeds 30% of the state median income but does not exceed 57% of the state median income. Services may be provided under this subsection only to the extent necessary to allow the individual to remain in his or her own home, and no services may be authorized for more than ninety days at any one time.

(2) \$1,201,000 of the general fund—state appropriation is provided solely for long-term alcoholism beds.

(3) ~~\$((13,840,000))~~ 13,714,000 of the general fund—state appropriation is provided solely for implementation of the senior citizens services act. At least 7.0% of these funds shall be used to develop and implement programs which utilize volunteer workers for the provision of chore services to persons whose need for chore services is not being met by the state chore service program.

(4) ~~\$((1,148,000))~~ 1,098,000 of the general fund—state appropriation is provided solely for the victims of domestic violence program.

(5) ~~\$((833,000))~~ 783,000 of the general fund—state appropriation, or so much thereof as may be necessary, is provided solely for the migrant day-care program.

(6) \$40,000 of the general fund—state appropriation in this subsection is provided solely to complete the child abuse demonstration project directed by RCW 74.13.200.

(7) \$600,000 is provided solely for a cost-shared day care program which serves low-income employed parents throughout the remainder of the biennium within the funds provided in this subsection.

(8) It is the assumption of the legislature that the appropriations in this section initially provide:

(a) \$15,851,000 (including \$11,559,000 from the state general fund) for alcoholism grants;

(b) \$5,475,000 (including \$4,590,000 from the state general fund) for detoxification;

(c) \$9,558,000 (including \$3,545,000 from the state general fund) for substance abuse grants;

(d) \$2,500,000 from federal funds for Indochinese refugees;

(e) \$17,642,000 from federal funds for aging services under Title III of the federal older Americans act;

(f) \$14,960,000 from the state general fund for the senior citizens services act;

(g) \$4,482,000 (including \$2,275,000 from the state general fund) for crisis residential centers;

(h) \$28,887,000 from the state general fund for congregate care facilities;

(i) \$45,072,000 (including \$38,120,000 from the state general fund) for foster care payments, with a caseload assumption of 5,433 for fiscal year 1982 and a caseload assumption of 5,327 for fiscal year 1983;

(j) \$8,931,000 (including \$1,758,000 from the state general fund) for child care payments;

(k) \$4,816,000 (including \$4,372,000 from the state general fund) for adoption support;

(l) \$43,698,000 (including \$24,132,000 from the state general fund) for chore services;

(m) \$1,148,000 from the state general fund for victims of domestic violence;

(n) \$831,000 (including \$150,000 from the state general fund) for adult day care;

(o) \$2,537,000 (including \$634,000 from the state general fund) for crisis intervention services;

(p) \$1,200,000 from the state general fund for adult family homes; and

(q) \$144,000 from the state general fund for nursing home discharge allowances.

Sec. 38. Section 55, chapter 340, Laws of 1981 as last amended by section 45, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
MEDICAL ASSISTANCE GRANTS PROGRAM**

General Fund Appropriation—State	\$	((253,219,000))
		<u>245,079,000</u>
General Fund Appropriation—Federal	\$	((212,081,000))
		<u>205,411,000</u>
Total Appropriation	\$	((465,300,000))
		<u>450,490,000</u>

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

(1) \$43,999,000 of the general fund—state appropriation is provided solely for the medical care of individuals not eligible for categorical assistance. Eligibility standards and scope of service shall be determined by the department of social and health services.

(2) \$34,146,000 of the general fund—state appropriation is provided solely for the medical component of the general assistance—unemployable program.

(3) The legislature supports efforts to maximize the cost benefits of pre-paid risk-sharing contracts in the provision of medical services through health maintenance organizations (HMOs) and individual practice associations (IPAs). The department is directed to seek increased participation of recipients enrolled in these programs. The legislature further supports the use of a hospital reimbursement system based on prospectively established rates. The department shall cooperate with the hospital commission in determining the possible savings to the state of using such a system.

(4) The department of social and health services shall establish by rule a system to insure that these funds are not expended to cover persons who are already covered by private or public programs.

(5) \$7,700,000 of the general fund—state appropriation is provided solely to lower the deductible for medically indigent persons from \$1,500 per year to \$500 per year, effective April 1, 1982.

Sec. 39. Section 56, chapter 340, Laws of 1981 as amended by section 50, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—

PUBLIC HEALTH PROGRAM

General Fund Appropriation—State	\$	((32,938,000))
		<u>32,738,000</u>
General Fund Appropriation—Federal	\$	((50,028,000))
		<u>49,900,000</u>
General Fund Appropriation—Local	\$	((2,842,000))
		<u>2,922,000</u>
General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)— Appropriation	\$	10,000,000
General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27); chapter 258, Laws of 1979 ex. sess. (chapter 43.99D RCW); and chapter 234, Laws of 1979 ex. sess. (Referendum 38)—Reappropriation	\$	19,900,000
Total Reappropriation	\$	19,900,000
Total New Appropriation	\$	85,323,000
Total Appropriation	\$	((115,708,000))
		<u>115,460,000</u>

Sec. 40. Section 57, chapter 340, Laws of 1981 as last amended by section 46, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—

VOCATIONAL REHABILITATION PROGRAM

General Fund Appropriation—State	\$	((15,666,000))
		<u>14,958,000</u>
General Fund Appropriation—Federal	\$	((27,468,000))
		<u>27,419,000</u>
Total Appropriation	\$	((43,134,000))
		<u>42,377,000</u>

Sec. 41. Section 58, chapter 340, Laws of 1981 as last amended by section 47, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—

ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

General Fund Appropriation—State	\$	((56,017,000))
		<u>54,609,000</u>
General Fund Appropriation—Federal	\$	((44,191,000))
		<u>43,123,000</u>
General Fund—Institutional Impact Account Appo- riation	\$	75,000
Total Appropriation	\$	((100,283,000))
		<u>97,807,000</u>

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

(1) \$3,187,000 of the general fund—state appropriation is provided solely for the integrated systems development project. This project shall include among its top priorities the development of a method for the identification of common client information and the tracking of clients through all human service programs provided by the department of social and and health services. This project is subject to the following conditions:

(a) By October 1, 1982, the department of social and health services shall make reports available to the legislature that analyze client, service delivery, and service cost data across systems containing common client identifier information, including but not limited to Social Service Payment Systems, Medicaid Management Information Systems, and the Interactive Terminal Input Systems/Client Financial Systems.

(b) \$686,000 of this sum shall be used to: (i) Establish a centralized data administration function; (ii) enhance and establish centralized data security and privacy controls; and (iii) implement a comprehensive data system methodology. By October 1, 1982, the department shall submit a report to the legislature that includes: (i) Plans for including each client, service cost, and service delivery information system in the department's data dictionary; (ii) an approach for unique identifications of individual service recipients, service recipient households, and service recipient families, and for the incorporation of such in each client, service cost, and service delivery information system; and (iii) plans for extracting data from those systems which include unduplicated recipient counts and service histories.

(c) These systems shall meet the following criteria: (i) Contain client, service cost, service delivery, or financial data; and (ii) lend themselves to rapid, flexible, and efficient data extraction and report generation. Those systems containing client information should include unique identifiers of individual recipients, recipient families, and recipient households with confidentiality of patient information and records as provided by state and federal law.

(d) A high priority of projects funded with this appropriation is the mental health information system for institutions and community mental health. This project shall be developed and completed during the 1981-83 biennium.

(2) In addition to any other reporting requirements, the department of social and health services shall report in writing to the committees on ways and means of the senate and house of representatives not later than January 15, 1982, and January 14, 1983, on actions taken to implement the conditions and limitations provided in sections 47 through 60 of this act and on the funds expended in support of each condition or limitation. If a department of corrections is created, it shall provide any reports required under this subsection for the conditions and limitations established in sections 47 and 48 of this act.

(3) The department of social and health services shall perform ongoing random samplings of those individuals affected by the elimination and/or reduction of public assistance programs and chore services as required by this budget. This study shall include the detailing of the following impacts: (a) The extent to which individuals are institutionalized as the result of loss of assistance or service; (b) the number of individuals who were able to find assistance from private sources to meet basic needs; (c) the number of individuals who became enrolled in another state or locally funded program: PROVIDED, That the department shall make regular reports to the legislature detailing the progress of the projects done under the authority of this section.

(4) The secretary of social and health services may transfer up to seven million dollars of general fund—state appropriations into this program from sections 49, 50, 51, 52, 53, 54, 55, 56, 57, and 59 of chapter 340, Laws of 1981, as amended, as savings occur in those programs.

Sec. 42. Section 59, chapter 340, Laws of 1981 as last amended by section 48, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES— COMMUNITY SERVICES ADMINISTRATION PROGRAM	
General Fund Appropriation—State	\$ ((100,661,000))
	<u>101,062,000</u>
General Fund Appropriation—Federal	\$ ((126,524,000))
	<u>127,275,000</u>
General Fund Appropriation—Local	\$ 48,000
Total Appropriation	\$ ((227,233,000))
	<u>228,385,000</u>

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

(1) The department of social and health services shall monitor and determine the net reduction in income maintenance and medical costs as a result of the employment and training program.

(2) The department of social and health services in conjunction with the employment security department shall seek federal funding to support the placement incentive demonstration project.

(3) The department of social and health services in conjunction with the employment security department shall monitor and determine the net reduction in income maintenance and medical costs as a result of the placement incentive demonstration project.

(4) \$350,000 is provided solely for the sexual assault victims program.

(5) The department shall provide necessary assistance in each community service office to ensure that applicants or recipients of general assistance who may qualify for supplemental security income make prompt application for and actively pursue qualification for the supplemental security income program.

Sec. 43. Section 61, chapter 340, Laws of 1981 as last amended by section 50, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS	
General Fund Appropriation—State	\$ ((14,285,000))
	<u>13,928,000</u>
General Fund Appropriation—Local	\$ 2,496,000
Total Appropriation	\$ ((16,781,000))
	<u>16,424,000</u>

Sec. 44. Section 62, chapter 340, Laws of 1981 as last amended by section 51, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY	
General Fund Appropriation—State	\$ ((4,206,000))
	<u>4,101,000</u>
General Fund Appropriation—Federal	\$ 28,152,000
Total Appropriation	\$ ((32,358,000))
	<u>32,253,000</u>

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

(1) \$40,000 of the general fund—state appropriation is provided solely for City Fair—Seattle.

(2) In anticipation of significant reductions in federal support, the agency shall prepare a contingency expenditure plan which adjusts the allotments to reflect the anticipated loss of federal funds and required state matching funds. This contingency plan shall include necessary program changes and a redefinition of services. As a result of any loss of federal funds, subsequent state matching funds shall be

placed in reserve. The contingency plan shall be transmitted to the legislature upon completion.

(3) A maximum of \$1,132,000 of the general fund—state appropriation is provided for the Mt. St. Helens Zone Enforcement/Assistance Project to expedite a coordinated three-county response to an emergency generated by tourist and public response to Mt. St. Helens volcano activity and/or disaster.

(4) \$107,000 of the general fund—state appropriation is provided solely for additional state support to continue the federally funded Section 8 low-income housing program.

Sec. 45. Section 66, chapter 340, Laws of 1981 as last amended by section 53, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation—State	\$	(7,684,000)
		<u>7,492,000</u>
General Fund—Crime Victims' Compensation		
Account Appropriation	\$	160,000
Accident Fund Appropriation—State	\$	39,401,000
Accident Fund Appropriation—Federal	\$	366,000
Electrical License Fund	\$	7,381,000
Medical Aid Fund Appropriation	\$	33,619,000
Plumbing Certificate Fund	\$	283,000
Pressure Systems Safety Fund	\$	827,000
Total Appropriation	\$	((89,721,000))
		<u>89,529,000</u>

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

(1) General fund expenditures for the building and construction program together with associated indirect cost and salary increase costs shall not exceed general fund revenue from the building and construction program.

(2) \$1,094,000 of the general fund—state appropriation is provided solely for the fiscal year 1982 employment standards and apprenticeship programs. Fiscal year 1983 funding shall be determined on the basis of a legislative budget committee review of the employment standards program within the criteria established in chapter 43.131 RCW and complete a report prior to December 15, 1981. Fiscal year 1983 funding of the apprenticeship program shall be determined on the basis of a legislative study to be completed by January 15, 1982.

(3) \$2,630,000 of the general fund—state appropriation is provided solely for victims of crime benefit payments.

Sec. 46. Section 68, chapter 340, Laws of 1981 as last amended by section 55, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE HOSPITAL COMMISSION

General Fund Appropriation—State	\$	((474,000))
		<u>462,000</u>
General Fund Appropriation—Federal	\$	128,000
General Fund—Hospital Commission Account		
Appropriation	\$	915,000
Total Appropriation	\$	((1,517,000))
		<u>1,505,000</u>

The appropriations in this section are subject to the following condition or limitation: The hospital commission shall further review the benefits and possible savings to the state of utilizing a reimbursement system based on prospectively established hospital rates.

Sec. 47. Section 69, chapter 340, Laws of 1981 as last amended by section 56, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation—State	\$	((1,988,000))
		<u>1,938,000</u>
General Fund Appropriation—Federal	\$	158,908,000
General Fund Appropriation—Local	\$	23,571,000
Administrative Contingency Fund Appropriation—		
Federal	\$	2,231,000
Unemployment Compensation Administration Fund		
Appropriation	\$	93,132,000
Total Appropriation	\$	((279,830,000))
		<u>279,780,000</u>

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

(1) \$729,000 of the general fund—state appropriation is provided solely for work orientation of ex-offenders.

(2) ~~\$((300,000))~~ 188,000 of the general fund—state appropriation is provided solely for a placement incentive demonstration project to serve AFDC-R recipients who have been on assistance for three consecutive years or more and have been determined to have the most severe barriers to employment.

The goal of this program is to establish a demonstration program that will use performance-based contracts to achieve full-time job placement and ensure long-term job retention. Not more than \$1,000 may be spent per participant and the payment schedule shall be structured to ensure incentive is built-in with twelve-month job retention for a minimum of 50% of the participants. The results of this program will be analyzed and evaluated and a written report will be submitted to the legislature by January, 1983. The report shall also contain comparative analysis of other similar employment and training programs including the employment and training program of the department of social and health services. The employment security department shall cooperate with the department of social and health services in seeking federal funds for this program and in monitoring savings in income maintenance and medical assistance as a result.

Job services employees and job services related activities which are federally funded are not subject to the reductions provided in this 1982 amendatory act.

Sec. 48. Section 70, chapter 340, Laws of 1981 as amended by section 61, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION FOR THE BLIND

General Fund Appropriation—State	\$	((2,468,000))
		<u>2,406,000</u>
General Fund Appropriation—Federal	\$	5,254,000
Total Appropriation	\$	((7,722,000))
		<u>7,660,000</u>

Sec. 49. Section 71, chapter 340, Laws of 1981 as last amended by section 58, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE JAIL COMMISSION

General Fund Appropriation	\$	((339,000))
		<u>331,000</u>
General Fund—Local Jail Improvement and Con-		
struction Account Appropriation	\$	511,000
Total Appropriation	\$	((850,000))
		<u>842,000</u>

Sec. 50. Section 72, chapter 340, Laws of 1981 as last amended by section 59, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE ENERGY OFFICE

General Fund Appropriation—State	\$	((1,005,000))
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	<u>980,000</u>
General Fund Appropriation—Federal	\$ 4,641,000
Total Appropriation	\$ ((5,646,000))
	<u>5,621,000</u>

Sec. 51. Section 73, chapter 340, Laws of 1981 as last amended by section 60, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund Appropriation	\$ ((66,000))
	<u>64,000</u>

Sec. 52. Section 74, chapter 340, Laws of 1981 as amended by section 61, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State	\$ ((17,515,000))
	<u>17,077,000</u>
General Fund Appropriation—Federal	\$ 14,380,000
General Fund—Special Grass Seed Burning Research Account Appropriation	\$ 35,000
General Fund—Reclamation Revolving Account Appropriation	\$ 580,000
General Fund—Litter Control Account Appropria- tion	\$ 4,110,000
Stream Gaging Basic Data Fund Appropriation	\$ 200,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26)	\$ 54,315,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Reappropriation (Referendum 26)	\$ 61,797,000
General Fund—Water Pollution Control Facilities Account Appropriation	\$ 50,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27)	\$ 7,284,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation (Referendum 27)	\$ 4,700,000
General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.	\$ 7,358,000
General Fund—Emergency Water Project Revolving Account: Reappropriation	\$ 6,500,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)	\$ 18,095,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39)	\$ 84,780,000
Total Reappropriation	\$ 72,997,000
Total New Appropriation	\$ ((208,702,000))
	<u>208,264,000</u>

Total Appropriation	\$	((281,699,000))
		<u>281,261,000</u>

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

(1) On or before October 1, 1981, the department of ecology shall file with the committees on ways and means of the senate and house of representatives a master compilation by project type of those projects proposed for funding during the 1981-83 biennium from the appropriations for waste disposal facilities and water supply facilities. A separate compilation shall be supplied for each referendum bond issue. The department shall submit updates for the master compilation to the committees on ways and means at six-month intervals during the 1981-83 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering the projects. If the department proposes to change or modify any project list on the master compilation, it shall give the committees on ways and means thirty days' written notice of the change or modification prior to the expenditure or obligation of any funds appropriated by this section. The department shall immediately inform the committees of significant changes from historic federal funding levels for waste disposal facilities and water supply facilities.

(2) The appropriation from the state and local improvements revolving account—water supply facilities (Referendum 27) may be expended to pay up to 50% of the eligible cost of any project, as a grant or loan or combination thereof. Also, the department may lend up to 100% of the eligible costs of preconstruction activities and the department may provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(3) The appropriation from the state and local improvements revolving account—waste disposal facilities (Referendum 26) may be expended by the department to pay for up to 50% of the eligible cost of any project, as a grant or up to 100% as a loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(4) The appropriation from the state and local improvements revolving account—waste disposal facilities 1980 (Referendum 39) may be expended by the department to pay up to 75% of the eligible cost of any project as a grant or up to 100% as a loan, or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(5) \$130,000 of the general fund—state appropriation is provided solely to augment current department planned expenditures for the assessment of sources of, and abatement programs for, toxic substances in Commencement Bay and its waterways. Of that amount:

(a) \$90,000 is for field and laboratory studies and activities needed for determining the source or sources of toxic substances in Commencement Bay and its waterways; and

(b) \$40,000 is for collecting and analyzing samples of sediments from any deep water portions of Commencement Bay that have been utilized for waste disposal sites, for the purpose of identifying the nature and extent of the wastes deposited.

(6) \$1,306,000 of the general fund—state appropriation is provided solely for the vehicle emission inspection program.

Sec. 53. Section 75, chapter 340, Laws of 1981 as last amended by section 62, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ENVIRONMENTAL HEARINGS OFFICE

General Fund Appropriation	\$	((573,000))
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559,000

Sec. 54. Section 77, chapter 340, Laws of 1981 as last amended by section 63, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund Appropriation—State	\$ ((24,349,000))
	<u>23,740,000</u>
General Fund Appropriation—Federal	\$ 185,000
General Fund Appropriation—Private/Local	\$ 467,000
General Fund—Trust Land Purchase Account Appropriation	\$ 5,573,000
General Fund—Winter Recreation Parking Account Appropriation	\$ 64,000
General Fund—Outdoor Recreation Account Approp- riation	\$ 81,000
General Fund—Snowmobile Account Appropriation	\$ 555,000
Motor Vehicle Fund Appropriation	\$ 600,000
Total Appropriation	\$ ((31,874,000))
	<u>31,265,000</u>

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

(1) A maximum of \$140,000 may be expended for continuation of contractual agreements with Grays Harbor and Pacific counties for beach patrol and law enforcement on North Beach, South Beach, and Long Beach.

(2) \$104,000 is provided solely for a manual campsite reservation system.

(3) A maximum of \$193,000 may be expended for a lifeguard program.

(4) A maximum of \$80,000 may be expended for the operation of the Goldendale Observatory.

(5) No moneys appropriated in this section may be expended for an agreement with the department of transportation for maintenance of the restroom at Snoqualmie Pass.

(6) \$700,000 may be expended for facility maintenance.

(7) \$162,000 may be expended for law enforcement, including an agreement with the Washington state patrol.

(8) \$75,000 is provided solely to determine the potential long-range alternative uses of the St. Edwards facility. The study shall include all potential uses, including but not limited to recreation. The results of the study shall be reported to the legislature not later than December 1, 1981.

(9) \$36,000 of this general fund—state appropriation is provided solely to provide minimal heat, air circulation, water and maintenance necessary to prevent the deterioration of the St. Edwards facility.

(10) \$15,000 may be expended to implement the recommendations of the Mt. St. Helens recreation and tourism task group for the operation of Seaquest state park tourist information center and various viewpoints and sanitary facilities.

(11) \$75,000 is provided solely for the implementation of a boat moorage fee program at selected state parks to be determined by the state parks and recreation commission.

Sec. 55. Section 78, chapter 340, Laws of 1981 as last amended by section 64, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund Appropriation—State	\$ ((288,000))
	<u>281,000</u>
General Fund Appropriation—Federal	\$ 205,000
Total Appropriation	\$ ((493,000))

486,000

Sec. 56. Section 80, chapter 340, Laws of 1981 as last amended by section 65, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

General Fund Appropriation—State	\$	((8,095,000))
		7,893,000
General Fund Appropriation—Federal	\$	391,000
Motor Vehicle Fund Appropriation	\$	395,000
Total Appropriation	\$	((8,881,000))
		8,679,000

Sec. 57. Section 81, chapter 340, Laws of 1981 as last amended by section 66, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

General Fund Appropriation—State	\$	((33,632,000))
		32,791,000
General Fund Appropriation—Federal	\$	5,777,000
General Fund Appropriation—Private/Local	\$	1,873,000
General Fund—Lewis River Hatchery Account		
Appropriation	\$	27,000
Total Appropriation	\$	((41,309,000))
		40,468,000

The appropriations in this section are subject to the following condition or limitation: \$211,000 of the general fund—state appropriation is provided solely for bait fish and ling cod enhancement efforts.

Sec. 58. Section 83, chapter 340, Laws of 1981 as last amended by section 67, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation—State	\$	((20,775,000))
		20,256,000
General Fund Appropriation—Federal	\$	1,354,000
General Fund—ORV (Off-Road Vehicle) Account		
Appropriation	\$	1,711,000
General Fund—Forest Development Account		
Appropriation	\$	16,669,000
General Fund—State Timber Tax Reserve Account		
Appropriation	\$	414,000
General Fund—Landowner Contingency Forest Fire		
Suppression Account Appropriation	\$	1,878,000
General Fund—Resource Management Cost Account		
Appropriation	\$	49,977,000
Total Appropriation	\$	((92,778,000))
		92,259,000

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

(1) \$1,782,000 of the general fund—state appropriation is provided solely for emergency fire suppression. The funds shall also be available for interfund loans with the landowner contingency forest fire suppression account.

(2) A maximum of \$1,997,000 of the state general fund appropriation shall be expended for the operation of the Clearwater, Olympic, Larch Mountain, Indian Ridge, Cedar Creek, Maple Lane, Naselle, and Mission Creek Honor Camps.

(3) Up to \$13,000,000 of the resource management cost account appropriation may be substituted by additional forest development account funds in excess of the appropriation. Any funds so replaced shall not be expended for any purpose.

(4) \$40,000 of the resource management cost account appropriation is provided solely for lake management.

(5) The department of natural resources shall provide a report on the urban lands program to the committees on ways and means of the house of representatives and the senate by December 1, 1981. The report shall include an inventory of urban lands, a management plan for each urban parcel, involvement in land use planning, and any other information necessary for policy determination.

Sec. 59. Section 84, chapter 340, Laws of 1981 as last amended by section 68, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation—State	\$	((8,221,000))
		<u>8,015,000</u>
General Fund Appropriation—Federal	\$	777,000
General Fund—Feed and Fertilizer Account Approp- riation	\$	29,000
Fertilizer, Agricultural, Mineral and Lime Fund Approp- riation	\$	358,000
Commercial Feed Fund Appropriation—State	\$	311,000
Commercial Feed Fund Appropriation—Federal	\$	22,000
Seed Fund Appropriation	\$	913,000
Nursery Inspection Fund Appropriation	\$	270,000
Grain and Hay Inspection Fund Appropriation	\$	17,278,000
Total Appropriation	\$	((28,179,000))
		<u>27,973,000</u>

The appropriations in this section are subject to the following condition or limitation: A maximum of \$13,000 of the general fund—state appropriation shall be expended for starling control.

Sec. 60. Section 85, chapter 340, Laws of 1981 as last amended by section 69, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund Appropriation	\$	((9,130,000))
		<u>8,902,000</u>
General Fund—Architects' License Account Approp- riation	\$	173,000
General Fund—Opticians' Account Appropriation	\$	33,000
General Fund—Optometry Account Appropriation	\$	81,000
General Fund—Professional Engineers' Account Appropriation	\$	478,000
General Fund—Real Estate Commission Account Appropriation	\$	3,444,000
General Fund—Board of Psychological Examiners Account Appropriation	\$	42,000
Game Fund Appropriation	\$	148,000
Highway Safety Fund Appropriation	\$	33,286,000
Motor Vehicle Fund Appropriation	\$	27,399,000
Total Appropriation	\$	((74,214,000))
		<u>73,986,000</u>

Sec. 61. Section 5, chapter 289, Laws of 1981 as amended by section 70, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

There is appropriated to the environmental policy commission from the general fund for the biennium ending June 30, 1983, the sum of ~~((forty-two))~~ forty-one thousand dollars, to carry out the purposes of this act.

Sec. 62. Section 86, chapter 340, Laws of 1981 as last amended by section 71, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)

General Fund Appropriation—State	\$	((11,945,000))
		<u>11,794,000</u>
General Fund Appropriation—Federal	\$	5,981,000
General Fund—Traffic Safety Education Account Appropriation	\$	460,000
Total Appropriation	\$	((18,386,000))
		<u>18,235,000</u>

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

(1) A maximum of \$460,000 may be expended for the state office administration of the traffic safety education program.

(2) The superintendent shall ensure that data reported by school districts for reimbursement and state budget planning purposes is accurate and timely.

(3) The Superintendent of Public Instruction shall not reduce the scoliosis screening program established under RCW 28A.31.132 through 28A.31.142 below the level established under chapter 340, Laws of 1981 as enacted during the 1981 regular session of the Legislature.

Sec. 63. Section 99, chapter 340, Laws of 1981 as last amended by section 79, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund Appropriation—State	\$	((3,946,000))
		<u>3,895,000</u>
State Funding Sources	\$	3,373,000
Total Appropriation	\$	((7,319,000))
		<u>7,268,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) Educational service districts shall be apportioned funds based upon the following schedule:

	General Fund—State	State Funding Sources
E.S.D. No. 101	\$ ((501,000))	\$562,000
	<u>495,000</u>	
E.S.D. No. 105	\$ ((479,000))	\$269,000
	<u>473,000</u>	
E.S.D. No. 112	\$ ((403,000))	\$453,000
	<u>398,000</u>	
E.S.D. No. 113	\$ ((430,000))	\$483,000
	<u>424,000</u>	
E.S.D. No. 114	\$ ((370,000))	\$208,000
	<u>365,000</u>	
E.S.D. No. 121	\$ ((352,000))	\$396,000
	<u>347,000</u>	
E.S.D. No. 123	\$ ((467,000))	\$262,000
	<u>461,000</u>	
E.S.D. No. 171	\$ ((571,000))	\$321,000
	<u>564,000</u>	
E.S.D. No. 189	\$ ((373,000))	\$419,000
	<u>368,000</u>	
Total	\$ ((3,946,000))	\$3,373,000
	<u>3,895,000</u>	

(2) School districts in the respective educational service districts shall provide the amounts specified from state funding sources accruing under section 87 of this act on a per capita enrollment basis prior to June 30th of each school year.

(3) Educational service districts may provide additional services, not funded under this section but desired by school districts, by billing the school districts desiring the services for the cost of the services.

(4) Educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.21.088 (3) and (4).

Sec. 64. Section 101, chapter 340, Laws of 1981 as amended by section 81, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE INSTITUTIONAL EDUCATION PROGRAMS

General Fund Appropriation—State	\$	15,361,000
General Fund Appropriation—Federal	\$	5,560,000
Total Appropriation	\$	20,921,000

The appropriations in this section are subject to the following condition or limitation: The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of ~~((this 1982 act))~~ chapter 50, Laws of 1982 1st ex. sess.: **PROVIDED**, That percentage reductions in this program by any school district shall not exceed ~~((0.5%))~~ 1.75% on a biennial basis.

Sec. 65. Section 105, chapter 340, Laws of 1981 as amended by section 82, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL CLINICS

General Fund Appropriation	\$	((990,000)) 978,000
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Sec. 66. Section 83, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

The superintendent of public instruction shall achieve a reduction of ~~\$(+15,674,000))~~ 55,060,000 in the total disbursements of state general fund moneys to local school districts for the 1982–1983 ~~((school))~~ state fiscal year for those programs under sections 72 (basic education), 74 (salary and compensation increase), 75 (pupil transportation), 76 (vocational–technical institutes), 77 (food service), 78 (handicapped costs), 80 (block grants), and 81 (institutional education) of ~~((this 1982 act))~~ chapter 50, Laws of 1982 1st ex. sess. This reduction approximates a ~~((0.5%))~~ 1.75% biennial reduction in the state general fund appropriation for disbursement to each local school district. It is the intent that such reductions shall be allocated on the basis of the apportionment schedule as provided in RCW 28A.48-.010. The legislature recognizes that local school districts are best prepared to identify their own individual local needs and priorities. Local school districts require maximum flexibility in prioritizing and providing for those programs that best meet their local needs. By December 1, 1982, each local school district shall inform the superintendent of public instruction of those programs for which entitled disbursements shall be reduced for that district, and the amount of the reductions. After December 1, 1982, for any local school district which fails to comply with this section, the superintendent shall reduce all disbursements as necessary to carry out the purposes of this section. By January 15, 1983, the superintendent of public instruction shall submit a report to the legislature describing the reductions achieved under this section.

Sec. 67. Section 4, chapter 33, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated for the biennium ending June 30, 1983, the sum of (~~twenty-five~~) twenty-four thousand dollars, or so much thereof as may be necessary, from the state general fund: PROVIDED, That up to an additional (~~one hundred~~) ninety-eight thousand dollars from the state general fund may be expended if each dollar is matched by funds from private sources, to be used by the committee for the purpose of carrying out the provisions of sections 1 through 3 of this act. Upon completion of the study, any residual general fund state funds shall revert to the general fund.

Sec. 68. Section 107, chapter 340, Laws of 1981 as last amended by section 84, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

General Fund Appropriation—State	\$	((370,840,000))
		<u>363,351,000</u>
General Fund Appropriation—Federal	\$	271,000
Total Appropriation	\$	((371,111,000))
		<u>363,622,000</u>

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

(1) A maximum of \$2,608,000 may be spent for the small school adjustment to Whatcom, Olympia Technical, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, Lower Columbia, and Walla Walla Community Colleges. The distribution of such funds shall be based on a percent of formula entitlement for faculty staffing which shall be increased at the rate of one percentage point above the 71.0% base level for each 100 full time equivalent students below the 2,500 full time equivalent student enrollment level, except that no community college shall be funded in excess of 86.0% of formula.

(2) At least \$227,291 shall be expended for the purchase and maintenance of equipment to access the higher education personnel payroll system.

(3) In making reductions in funds, no reductions shall be made affecting tuition waivers for the parenting education program.

(4) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$71,854,988 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

(5) (a) For purposes of the 1983-85 budget development, enrollments which are attributable to ungraded courses, excluding adult basic education, for which operating fees are waived in whole or part shall be reduced by a percentage calculated by dividing the waived operating fees by the total operating fees and multiplying by twenty-three percent.

(b) As used in this subsection (5):

(i) "Waived operating fees" means the operating fees waived for an enrollment under RCW 28B.15.502(4); and

(ii) "Total operating fees" means the operating fees which would have been paid for an enrollment if no waiver had been granted.

Sec. 69. Section 108, chapter 340, Laws of 1981 as last amended by section 85, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund Appropriation	\$	((281,551,000))
		<u>275,867,000</u>
Accident Fund Appropriation	\$	1,027,000
Medical Aid Fund Appropriation	\$	1,027,000
University of Washington Building Account Appropria- tion	\$	48,304,000

Total Appropriation	\$	((331,909,000))
		<u>326,225,000</u>

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

(1) \$1,600,000 is provided solely for family medicine education.

(2) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$51,831,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 70. Section 109, chapter 340, Laws of 1981 as last amended by section 86, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY

General Fund Appropriation	\$	((169,375,000))
		<u>165,955,000</u>
Washington State University Building Account Approp- riation	\$	18,200,000
Total Appropriation	\$	((187,575,000))
		<u>184,155,000</u>

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

(1) A maximum of \$380,000 may be expended for federal matching purposes for the small business development center.

(2) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$24,315,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 71. Section 110, chapter 340, Laws of 1981 as last amended by section 87, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((53,329,000))
		<u>52,252,000</u>
Eastern Washington University Capital Projects Account Appropriation	\$	2,066,000
Total Appropriation	\$	((55,395,000))
		<u>54,318,000</u>

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$10,351,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 72. Section 111, chapter 340, Laws of 1981 as last amended by section 88, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((47,875,000))
		<u>46,908,000</u>
Central Washington University Capital Projects Account Appropriation	\$	1,666,000
Total Appropriation	\$	((49,541,000))
		<u>48,574,000</u>

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services

related allotments not be transferred to administrative programs. Therefore, a maximum of \$10,327,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 73. Section 112, chapter 340, Laws of 1981 as last amended by section 89, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

General Fund Appropriation	\$	((24,742,000))
		<u>24,242,000</u>

The appropriation in this section is subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$5,500,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 74. Section 113, chapter 340, Laws of 1981 as last amended by section 90, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((57,195,000))
		<u>56,040,000</u>

Western Washington University Capital Projects

Account Appropriation	\$	3,102,000
Total Appropriation	\$	((60,297,000))
		<u>59,142,000</u>

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$9,599,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 75. Section 115, chapter 340, Laws of 1981 as last amended by section 92, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COUNCIL FOR POSTSECONDARY EDUCATION

General Fund Appropriation—State	\$	((19,878,000))
		<u>19,464,000</u>
General Fund Appropriation—Federal	\$	3,684,000
Total Appropriation	\$	((23,562,000))
		<u>23,148,000</u>

The appropriations in this section are subject to the following condition or limitation: \$106,000 shall be expended to honor higher education reciprocity agreements with the state of Oregon.

Sec. 76. Section 114, chapter 340, Laws of 1981 as amended by section 93, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COMPACT FOR EDUCATION

General Fund Appropriation	\$	((61,000))
		<u>60,000</u>

Sec. 77. Section 116, chapter 340, Laws of 1981 as last amended by section 94, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC BROADCASTING COMMISSION

General Fund Appropriation—State	\$	((124,000))
		<u>122,000</u>
General Fund Appropriation—Federal	\$	8,000
Total Appropriation	\$	((132,000))
		<u>130,000</u>

Sec. 78. Section 118, chapter 340, Laws of 1981 as last amended by section 95, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION FOR VOCATIONAL EDUCATION

General Fund Appropriation—State	\$	((1,682,000))
		<u>1,639,000</u>
General Fund Appropriation—Federal	\$	27,157,000
Total Appropriation	\$	((28,839,000))
		<u>28,796,000</u>

The appropriations in this section are subject to the following condition or limitation: No state funds may be used by the advisory council for vocational education.

Sec. 79. Section 121, chapter 340, Laws of 1981 as last amended by section 97, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund Appropriation—State	\$	((1,191,000))
		<u>1,161,000</u>
General Fund Appropriation—Federal	\$	893,000
Total Appropriation	\$	((2,084,000))
		<u>2,054,000</u>

The appropriations in this section are subject to the following condition or limitation: \$((659,000)) 643,000 is provided solely for the cultural enrichment program in the common schools.

Sec. 80. Section 122, chapter 340, Laws of 1981 as last amended by section 98, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation	\$	((525,000))
		<u>511,000</u>

The appropriation in this section is subject to the following condition or limitation: \$27,000 is provided solely for a state historical monument to recognize the World War II internment of Japanese-Americans at the Western Washington fairgrounds in Puyallup. Funds appropriated for this memorial may be expended to the extent that at least twenty-five percent of the total cost of the project authorized is obtained from federal, local, or private sources.

Sec. 81. Section 123, chapter 340, Laws of 1981 as last amended by section 99, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation	\$	((440,000))
		<u>429,000</u>

Sec. 82. Section 124, chapter 340, Laws of 1981 as last amended by section 100, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE CAPITOL HISTORICAL ASSOCIATION

General Fund Appropriation	\$	((387,000))
		<u>377,000</u>

General Fund—State Capitol Historical Association

Museum Account Appropriation	\$	53,000
Total Appropriation	\$	((440,000))
		<u>430,000</u>

Sec. 83. Section 37, chapter 67, Laws of 1981 as last amended by section 104, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

To carry out this act, there is appropriated to the office of the chief administrative law judge from the general fund for the fiscal year from July 1, 1981, through June 30, 1982, the sum of one hundred ((five)) three thousand dollars, or so much thereof as may be necessary.

Sec. 84. Section 123, chapter 136, Laws of 1981 as last amended by section 106, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund ~~\$(365,000)~~ 356,000 to the corrections standards board and \$4,630,000 to the department of corrections as established in this 1981 act. This appropriation shall be subject to the following conditions and limitations:

(1) For the 1981-83 biennium the department of corrections shall be authorized an additional 93 FTE staff years.

(2) These additional FTE staff years shall be in addition to the staffing level authorized in ESSB 3636. There shall be transferred to the department of corrections an amount of general fund appropriation, state and FTE staff years, the exact amount to be determined by the secretary of social and health services and the secretary of corrections subject to the approval of the director of the office of financial management.

Sec. 85. Section 42, chapter 137, Laws of 1981 as last amended by section 107, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

There is appropriated from the state general fund to the sentencing guidelines commission for the biennium ending June 30, 1983, the sum of five hundred ~~((ninety-eight))~~ eighty-six thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

Sec. 86. Section 16, chapter 268, Laws of 1981 as last amended by section 109, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund to the judicial qualifications commission for the biennium ending June 30, 1983 a sum of ~~\$(254,000)~~ 248,000. \$4,000 of this appropriation is contingent upon \$4,000 of the compensation increase moneys provided to the commission under section 14, chapter 340, Laws of 1981, as amended, remaining in reserve status.

Sec. 87. Section 6, chapter 317, Laws of 1981 as last amended by section 110, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PATROL

General Fund Appropriation—State	\$	((+1,700,878))
		<u>11,408,000</u>
Motor Vehicle Fund—State Patrol Highway Account		
Appropriation—State	\$	90,391,815
Highway Safety Fund Appropriation—State	\$	9,000
Total Appropriation	\$	((+02,101,693))
		<u>101,808,815</u>

The appropriations contained in this section are subject to the following condition and limitation: The highway safety fund appropriation in this section is provided for the vehicle equipment safety commission.

Sec. 88. Section 8, chapter 317, Laws of 1981 as last amended by section 111, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—EXECUTIVE MANAGEMENT—PROGRAM Z—MANAGEMENT SERVICES—PROGRAM S

General Fund—Aeronautics Account Appropria-		
tion—State	\$	8,722
General Fund Appropriation—State	\$	((57,424))
		<u>56,000</u>
Motor Vehicle Fund—Puget Sound Capital Con-		
struction Account Appropriation—State	\$	525,462
Motor Vehicle Fund—Puget Sound Ferry Operations		
Account Appropriation—State	\$	441,773

Motor Vehicle Fund Appropriation—State	\$	15,417,283
Total Appropriation	\$	((16,450,664))
		<u>16,449,240</u>

The appropriations contained in this section are provided for executive management, management services, and support costs of the department of transportation. The department of transportation may transfer any portion of the motor vehicle fund appropriations in this section between Programs S and Z.

Sec. 89. Section 11, chapter 317, Laws of 1981 as amended by section 111, chapter 14, Laws of 1981 2nd ex. sess. and by section 112, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is reenacted and amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION AND PLANNING—PROGRAM T

(1) For public transportation and rail programs:

General Fund Appropriation—State	\$	((652,456))
		616,000
General Fund Appropriation—Federal	\$	9,839,000
General Fund Appropriation—Local	\$	185,000

(2) For planning and research:

Motor Vehicle Fund Appropriation—State	\$	5,192,909
Motor Vehicle Fund Appropriation—Federal	\$	6,320,000
Total Public Transportation and Planning Appropriation	\$	((22,189,365))
		<u>22,152,909</u>

The appropriations contained in this section are provided for the management and support of the public transportation and planning division, urban mass transportation administration programs, for rail programs, for state loans for formation of public transportation districts, for studies which support local public transportation programs, for maintenance of the state transportation plan, for highway planning and research by the department of transportation, and for research and studies approved by the department of transportation.

Sec. 90. Section 10, chapter 330, Laws of 1981 as last amended by section 113, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

(1) There is hereby appropriated from the general fund for the biennium ending June 30, 1983, to the legislative budget committee the sum of ~~((eighty-seven))~~ seventy-seven thousand dollars for the purpose of conducting a study of the judicial information system as provided in section 9 of this act.

(2) There is hereby appropriated from the general fund for the biennium ending June 30, 1983, to the office of the administrator for the courts the sum of seven million ~~((eight hundred twenty-five))~~ six hundred twenty-nine thousand dollars for the judicial information system.

NEW SECTION. Sec. 91. In order to ensure that the benefits to the state expected to be derived from the early retirement provisions of chapter 54, Laws of 1982 1st ex. sess. (SSHB No. 124) are in fact generated, no funds may be expended by any state agency for personal service contracts engaging any persons retired from state service under the provisions of that chapter. Exceptions to this section may be granted by written approval from the director of financial management.

This section shall expire on June 30, 1983.

NEW SECTION. Sec. 92. 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. 93. 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.

FRANZ WIECHERS-GREGORY, Chief Clerk.

MOTION

Senator Scott moved the Senate concur in the House amendment to Senate Bill No. 5021.

POINT OF INQUIRY

Senator McDermott: "Senator Scott, unfortunately I do not have a copy of this on my desk so I don't know and I am asking questions for my own clarification. This bill does not effect merit pay, this bill does not effect increments and it does not effect any of the so-called efficiency leave without pay program. It is not in there anyplace in this bill?"

Senator Scott: "True."

The motion by Senator Scott carried. The Senate concurred in the House amendments to Senate Bill No. 5021.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5021, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 26; nays, 23.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Moore, Newhouse, Patterson, Quigg, Scott, Sellar, Talley, von Reichbauer, Zimmerman—26.

Voting nay: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, McDermott, Peterson, Pullen, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—23.

SENATE BILL NO. 5021, 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

At 12:44 p.m., on motion of Senator Clarke, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.

MOTION

At 2:01 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 5:09 p.m.

SIGNED BY THE PRESIDENT

The President signed: SENATE BILL NO. 5021.

MOTION

At 5:10 p.m., on motion of Senator Clarke, the Senate recessed until 8:00 p.m.

EVENING SESSION

The President called the Senate to order at 8:00 p.m.

MOTIONS

On motion of Senator Clarke, the Senate advanced to the fifth order of business.

On motion of Senator Clarke, the Senate commenced consideration of Senate Bill No. 5030.

MOTION

On motion of Senator Ridder, Senator Talley was excused.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 5030, by Senators Gould, Hemstad, Bottiger, Lee, Hurley and Williams:

Modifying the taxation of low-level radioactive waste disposal.

MOTIONS

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5030 was advanced to second reading and read the second time in full.

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5030 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. 5030, and the bill passed the Senate by the following vote: Yeas, 38; nays, 9; absent or not voting, 1; excused, 1.

Voting yea: Senators Bauer, Bluechel, Bottiger, Charnley, Clarke, Conner, Deccio, Fleming, Fuller, Gallagher, Gaspard, Goltz, Gould, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, Lysen, McDermott, Metcalf, Moore, Peterson, Quigg, Rasmussen, Ridder, Scott, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn, Woody, Zimmerman—38.

Voting nay: Senators Benitz, Craswell, Guess, Haley, Hansen, Hayner, McCaslin, Newhouse, Patterson—9.

Absent or not voting: Senator Pullen—1.

Excused: Senator Talley—1.

SENATE BILL NO. 5030, having received the 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

HOUSE BILL NO. 1255, by Committee on Appropriation—Education and Representative Nelson (G.):

Modifying provisions relating to public employees.

MOTION

On motion of Senator Clarke, the rules were suspended, House Bill No. 1255 was advanced to second reading and read the second time in full.

POINT OF INQUIRY

Senator Bottiger: Senator Hayner, I was just given an agenda that lists a series of bills. The fifth one down is the inventory tax credit and in between are some bills I had indicated to you I thought were in trouble. Have you decided to run them ahead of the inventory tax?"

Senator Hayner: "The inventory tax is over in the House and I am assuming it will be over here by that time."

Senator Bottiger: "You intend to run these bills and they may be in trouble."

Senator Hayner: "I am going to run them."

MOTION

On motion of Senator Clarke, the rules were suspended, House Bill No. 1255 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Goltz: "The question, Senator Scott, is this. Today is July 1, the first day of the second year of the biennium. I am assuming that throughout the state agencies and the colleges and universities, community colleges and so on that commitments and contracts have already been let which will have used up the increment funding which the state legislature appropriated in 1981.

"My question is first of all, is that true that these colleges and universities and agencies have committed these funds and if that is true, how do we recapture funds which have already been committed by such a bill?"

Senator Scott: "I asked the staff the same question and the answer is that this act supersedes."

Senator Goltz: "In other words, the commitments which have been made by the agencies to their employees will be, in effect, eaten out of other parts of your budget because these cuts, in fact, cannot be pulled back."

Senator Scott: "No, they have yet to be paid and will not be granted."

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1255, and the bill failed to pass the Senate by the following vote: Yeas, 21; nays, 26; absent or not voting, 1; excused, 1.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Quigg, Scott, Sellar, von Reichbauer—21.

Voting nay: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hemstad, Hughes, Hurley, Lysen, McDermott, Moore, Patterson, Peterson, Rasmussen, Ridder, Shinoch, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody, Zimmerman—26.

Absent or not voting: Senator Pullen—1.

Excused: Senator Talley—1.

HOUSE BILL NO. 1255, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Zimmerman served notice that he would, at the appropriate time, move for reconsideration of the failure of House Bill No. 1255.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1257, by Committee on Appropriations—Education and Representative Struthers:
Modifying provisions relating to institutions of higher education.
(No further action.)

MOTION

At 9:01 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 12:15 a.m.

MOTION

At 12:15 a.m., on motion of Senator Clarke, the Senate adjourned until 10:00 a.m., Friday, July 2, 1982.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

SEVENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Friday, July 2, 1982.

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 Lysen.

The Color Guard, consisting of Pages Walt Kiskaddon and Hillary Williams, presented the Colors. Reverend Charles Loyer, retired pastor of Olympia, offered the prayer.

MOTIONS

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

At 10:13 a.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 12:20 p.m.

MESSAGES FROM THE HOUSE

July 2, 1982

Mr. President: The Speaker has signed: SENATE BILL NO. 5021, and the same is herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

July 2, 1982.

Mr. President: The Speaker has signed: HOUSE BILL NO. 1251, and the same is herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

July 2, 1982.

Mr. President: The Speaker has signed: HOUSE BILL NO. 1253, and the same is herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:

HOUSE BILL NO. 1251,

HOUSE BILL NO. 1253.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 5029, by Senator Benitz:

Authorizing higher education tuition surcharges.

MOTIONS

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5029 was advanced to second reading and read the second time in full.

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5029 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 Goltz: "Senator Benitz, this is a different version than the one which I originally received from you which required the state board for community college education to make the decision. This allows it to be done by each board. Is that correct?"

Senator Benitz: "Yes, Senator. The bill you have before you which has been revised many times in order to have as near a perfect bill as we could come with says that the state board shall approve and have the authority to write the rules and regulations, make the act effective and it is up to the local community college to buy or not buy."

Senator Goltz: "Would it be your opinion that a rule made by the state board of community college education that would require all local boards to have uniform fees to be in violation of the spirit of this bill?"

Senator Benitz: "I would not comment on that. We simply have left it open and the state board for community college has observed the WAC rules without violation as far as I am concerned."

Senator Goltz: "My point is, Senator Benitz, this does not have to go in the record at all. The point I was trying to make is I agree with the version of the bill that allows local boards to make local decisions. But what I am afraid of is that rules made by the state board may prohibit them to do what the legislature intended they should be able to do and that is to have differential fees between community colleges if those local boards decide to make that decision and I would not want the state board for community colleges to overrule local board options by passing a rule which requires uniformity."

Senator Benitz: "I don't think it is proper for me to comment on that. That is simply up to the statutes, it would be up to the state board."

POINT OF ORDER

Senator Talmadge: "Mr. President, Senator Benitz indicated that this bill bears no relationship whatsoever to the balancing of the budget in dealing with the fiscal crisis of the state and I would submit therefore that the bill is beyond the scope of the concurrent resolution that was adopted that governs this session."

Debate ensued.

RULING BY THE PRESIDENT

President Cherberg: "Senator Talmadge, the remarks by Senator Clarke are correct in that Senate Concurrent Resolution No. 151 states 'Now therefore be it resolved by the Senate, the House of Representatives concurring, that the subject matter to be considered during this 1982 second special session of the forty-seventh legislature be limited to the following: budget; revenue, 'etc.

"Senate Bill No. 5029 beginning on page 8, 'The Evergreen State College and each community college district may establish an operating fee surcharge subject to the conditions specified in this section.' 'Surcharge' is naturally revenue. Therefore the measure is properly before the Senate."

Senate Bill No. 5029 was ruled to be properly before the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5029, and the bill failed to pass the Senate by the following vote: Yeas, 24; nays 24; absent or not voting, 1.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Quigg, Scott, Sellar, von Reichbauer, Zimmerman—24.

Voting nay: Senators Bauer, Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hughes, Hurley, McDermott, Moore, Peterson, Pullen, Rasmussen, Ridder, Shinpoch, Talley, Talmadge, Vognild, Williams, Wilson, Wojahn, Woody—24.

Absent or not voting: Senator Lysen—1.

SENATE BILL NO. 5029, having failed to receive the constitutional majority, was declared lost.

MOTION

On motion of Senator Ridder, Senator Lysen was excused.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 5032, by Senators Scott and McDermott:
Modifying excise taxes.

MOTIONS

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5032 was advanced to second reading and read the second time in full.

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5032 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. 5032, and the bill passed the Senate by the following vote: Yeas, 25; nays, 23, excused. 1.

Voting yea: Senators Bluechel, Bottiger, Charnley, Clarke, Fleming, Fuller, Gaspard, Gould, Guess, Hansen, Hayner, Hemstad, Jones, Kiskaddon, McDermott, Metcalf, Moore, Patterson, Quigg, Scott, Talmadge, Williams, Wilson, Wojahn, Woody—25.

Voting nay: Senators Bauer, Benitz, Conner, Craswell, Deccio, Gallagher, Goltz, Haley, Hughes, Hurley, Lee, McCaslin, Newhouse, Peterson, Pullen, Rasmussen, Ridder, Sellar, Shinpoch, Talley, Vognild, von Reichbauer, Zimmerman—23.

Excused: Senator Lysen—1.

SENATE BILL NO. 5032, having received the 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 Clarke, Senate Bill No. 5032 was ordered immediately transmitted to the House.

At 12:42 p.m., on motion of Senator Clarke, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.

MOTION

At 2:03 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 3:34 p.m.

MOTION

On motion of Senator Clarke, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

July 2, 1982.

Mr. President: The House has passed: SENATE BILL NO. 5016 with the following amendment:

On page 2, after line 14, insert a new subsection to read as follows:

"(3) If by reason of any change in law, the taxes imposed under this chapter are no longer imposed upon a taxpayer who would otherwise be entitled to all or part of the credit allowed under subsection (1) of this section, such taxpayer may claim the credit allowed by this section against obligations for any taxes payable directly to the department of revenue, except those taxes imposed under chapter 82.14 RCW, during the period July 1, 1983, through June 30, 1984. The department of revenue shall adopt such rules as may be necessary for the prompt allowance of such credits and the efficient administration of this sections.", and the same is herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

MOTION

On motion of Senator Scott, the Senate concurred in the House amendment to Senate Bill No. 5016.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5016, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 27; nays, 20; absent or not voting, 2.

Voting yea: Senators Benitz, Bluechel, Bottiger, Clarke, Conner, Fuller, Gallagher, Gaspard, Gould, Guess, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McDermott, Metcalf, Moore, Newhouse, Patterson, Quigg, Scott, Sellar, Talley, Woody, Zimmerman—27.

Voting nay: Senators Charnley, Craswell, Deccio, Fleming, Goltz, Hughes, Hurley, Lysen, McCaslin, Peterson, Pullen, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, von Reichbauer, Williams, Wilson, Wojahn—20.

Absent or not voting: Senators Bauer, Haley—2.

SENATE BILL NO. 5016, 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

SENATE BILL NO. 5033, by Senator Lee and Craswell:

Modifying allotment procedures.

MOTIONS

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5033 was advanced to second reading and read the second time in full.

Senator Goltz moved adoption of the following amendment:

On page 5, section 3, line 3, strike all of subsection (3).

Debate ensued.

POINT OF INQUIRY

Senator Vognild: "Senator Scott, as I am reading this bill on page 5, sub (4), line 12, it appears to me that it requires the governor to use leave without pay, reduced work week, etc. before he can use any other authority of the bill. Am I correct?"

(Senator Scott deferred to Senator Lee).

Senator Lee: "Senator Vognild, your interpretation is correct. He first has to take care of what this twenty million dollars is. In other words, this twenty million dollars happens to be the difference between the two hundred and fifty-three revenue shortfall and what we, here in the legislature, have managed to accomplish through individual specific bills. That has to be taken care of first. That two hundred and fifty-three shortfall has to be stopped. The hole plugged. Then, after that, say that is turns out to be two hundred and seventy-five not two hundred and fifty-three. Then after that, the provisions of the 43.88.110 which is the first part of this bill, go into effect."

Further debate ensued.

Senator Goltz demanded a roll call and the demand was sustained.

The President declared the question before the Senate to be the roll call on the amendment by Senator Goltz.

ROLL CALL

The Secretary called the roll and the amendment was not adopted by the following vote: Yeas, 20; nays, 27; absent or not voting, 2.

Voting yea: Senators Bauer, Charnley, Conner, Gaspard, Goltz, Hansen, Hughes, Hurley, Lysen, Moore, Peterson, Pullen, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn—20.

Voting nay: Senators Benitz, Bluechel, Bottiger, Clarke, Craswell, Deccio, Fleming, Fuller, Gallagher, Gould, Guess, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, McDermott, Metcalf, Newhouse, Patterson, Quigg, Scott, Sellar, Talley, von Reichbauer, Zimmerman—27.

Absent or not voting: Senators Haley, Woody—2.

MOTION

At 4:10 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 6:08 p.m.

MOTION

On motion of Senator Clarke, the Senate resumed consideration of Senate Bill No. 5033.

SECOND READING

SENATE BILL NO. 5033, by Senator Lee and Craswell:

Modifying allotment procedures.

The Senate resumed consideration of Senate Bill No. 5033 on second reading.

MOTION

On motion of Senator Clarke, the rules were suspended, Senate Bill No. 5033 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. 5033, and the bill passed the Senate by the following vote: Yeas, 25; nays, 22; absent or not voting, 2.

Voting yea: Senators Benitz, Bluechel, Clarke, Craswell, Deccio, Fuller, Gallagher, Gould, Guess, Haley, Hayner, Jones, Kiskaddon, Lee, McCaslin, Metcalf, Newhouse, Patterson, Pullen, Quigg, Scott, Sellar, von Reichbauer, Woody, Zimmerman—25.

Voting nay: Senators Bottiger, Charnley, Conner, Fleming, Gaspard, Goltz, Hansen, Hemstad, Hughes, Hurley, Lysen, McDermott, Moore, Peterson, Rasmussen, Ridder, Shinpoch, Talmadge, Vognild, Williams, Wilson, Wojahn—22.

Absent or not voting: Senators Bauer, Talley—2.

SENATE BILL NO. 5033, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

July 2, 1982.

I, Senator Al Bauer, was over in the House of Representatives when this vote on the Budgeting and Accounting Act bill, Senate Bill 5033. I would have voted "no" on Senate Bill 5033 if I would have been in attendance.

Signed: SENATOR AL BAUER

MOTION

On motion of Senator Clarke, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

July 2, 1982.

Mr. President: The House has passed: SENATE BILL NO. 5030, and the same is herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 5016,

SENATE BILL NO. 5030.

MOTION

At 6:35 p.m., on motion of Senator Clarke, the Senate was declared to be at ease.

The President called the Senate to order at 8:06 p.m.

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

MESSAGE FROM THE GOVERNOR

Office of the Governor, June 30, 1982.

THE HONORABLE JOHN A. CHERBERG

WASHINGTON STATE SENATE

Legislative Building
Olympia, WA 98504

Dear Governor Cherberg:

You and the members of the Senate are cordially invited to the Mansion for light refreshments after adjournment SINE DIE of this special session.

Sincerely,
JOHN SPELLMAN
Governor.

MESSAGES FROM THE HOUSE

July 2, 1982.

Mr. President: The House has passed: SENATE BILL NO. 5033, and the same is herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

July 2, 1982.

President: The Speaker has signed:

SENATE BILL NO. 5016,

SENATE BILL NO. 5030, and the same are herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

July 2, 1982.

Mr. President: The House has passed: SENATE BILL NO. 5032, and the same is herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 5032,

SENATE BILL NO. 5033.

At 8:07 p.m., the President declared the Senate to be at ease.

The President called the Senate to order at 8:25 p.m.

MESSAGE FROM THE HOUSE

July 2, 1982.

Mr. President: The Speaker has signed:

SENATE BILL NO. 5032,

SENATE BILL NO. 5033, and the same are herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 152, by Senators Hayner, Jones, Bottiger and Fleming:

Notifying the governor that the legislature is about to adjourn SINE DIE.

MOTIONS

On motion of Senator Jones, Senate Concurrent Resolution No. 152 was advanced to second reading and read the second time in full.

On motion of Senator Jones, Senate Concurrent Resolution No. 152 was advanced to third reading, the second reading considered the third and the resolution was adopted.

MOTIONS

On motion of Senator Jones, the Senate advanced to the eighth order of business.

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

SENATE RESOLUTION 1982—252

By Senators Hayner, Jones, Bottiger and Fleming:

BE IT RESOLVED, by the Senate, That a committee consisting of three members of the Senate be appointed to notify the House that the Senate is about to adjourn SINE DIE.

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

MESSAGE FROM THE HOUSE

July 2, 1982.

Mr. President: The House has adopted: SENATE CONCURRENT RESOLUTION NO. 152, and the same is herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of Senate Resolution 1982—252, President Cherberg appointed Senators Jones, Woody and Bottiger to notify the House that the Senate is ready to adjourn SINE DIE.

MOTION

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

SIGNED BY THE PRESIDENT

The President signed: SENATE CONCURRENT RESOLUTION NO. 152.

MESSAGE FROM THE HOUSE

July 2, 1982.

Mr. President: The Speaker has signed: SENATE CONCURRENT RESOLUTION NO. 152, and the same is herewith transmitted.

FRANZ WIECHERS-GREGORY, Chief Clerk.

COMMITTEE FROM THE HOUSE

The Sergeant at Arms announced the arrival of the committee from the House consisting of Representatives Rosbach, Smith and Warnke. The committee 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.

APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of Senate Concurrent Resolution No. 152, President Cherberg appointed Senator Fleming as a committee of one from the Senate to join a like committee from the House to notify the Governor that the legislature is about to adjourn SINE DIE.

MOTION

On motion of Senator Jones, the committee appointment was confirmed.

On motion of Senator Jones, the following resolution was adopted.

SENATE RESOLUTION 1982—253

By Senators Hayner, Jones, Bottiger and Fleming:

BE IT RESOLVED, That all bills, joint resolutions and joint memorials in the possession of the Secretary of the Senate upon adjournment of the 1982 Second Special Session of the 47th Legislature be indefinitely postponed.

REPORT OF SPECIAL COMMITTEE

The Sergeant at Arms announced the return of the special committee consisting of Senators Jones, Woody and Bottiger who were appointed under the provisions of Senate Resolution No. 1982—252. The committee reported they had notified the House that the Senate was about to adjourn SINE DIE.

The report was received and the committee was discharged.

REPORT OF SPECIAL COMMITTEE

The Sergeant at Arms announced the return of the special committee consisting of Senator Fleming who was appointed under the provisions of Senate Concurrent Resolution No. 152. Senator Fleming reported that he had joined with a like committee from the House and notified the Governor that the Legislature is about to adjourn SINE DIE.

The report was received and the committee was discharged.

MOTION

On motion of Senator Jones, the Senate Journal of the Seventh Day of the 1982 Second Special Session of the Forty-seventh Legislature was approved.

MOTION

At 8:41 p.m., on motion of Senator Jones, the 1982 Second Special Session of the Forty-seventh Legislature adjourned SINE DIE.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

**GOVERNOR'S MESSAGES ON SENATE BILLS
VETOED AND PARTIALLY VETOED**

—1981—

SECOND SPECIAL SESSION

—1982—

REGULAR SESSION

AND

FIRST AND SECOND SPECIAL SESSIONS

OF THE

FORTY-SEVENTH LEGISLATURE

Office of the Governor, December 21, 1981.
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON.

LADIES AND GENTLEMEN:

I am returning herewith without my approval SUBSTITUTE SENATE
BILL NO. 3398 entitled:

“An Act relating to revenue and taxation.”

This bill has the laudable purpose of rewarding taxpayers for early full
payment of property taxes, which in turn could assist the state with its cash-
flow problems. Since the bill's passage, however, county governments have
argued that the administrative costs of the program might be greater than
the revenue thus generated. If too few taxpayers paid early, the program
might actually lose money. That is a risk the state cannot afford to run.
Because the bill was passed without opportunity for full hearings on the most
likely balance of costs and benefits that the program would yield, I am
returning it to the legislature for its review of that issued.

I have therefore vetoed Substitute Senate Bill No. 3398.

Respectfully submitted,
JOHN SPELLMAN
Governor.

Office of the Governor, April 3, 1982.
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON.

LADIES AND GENTLEMEN:

I am returning herewith without my approval as to Section 8 subsection
(3) SENATE BILL NO. 3446 entitled:

“An Act relating to incorporation proceedings for cities and towns.”

Subsection (3) of Section 8 would severely limit the authority of a newly incorporated city to establish its property tax rate at a level sufficient to provide basic services. The lower tax rate that would result from implementation of subsection (3)(b) is less than the \$3.375 per \$1,000 of assessed value authorized for other Washington cities. I have therefore vetoed Subsection (3) of Section 8.

With the exception of Subsection (3) of Section 8, which I have vetoed, the remainder of Senate Bill No. 3446 is approved.

Respectfully submitted,
JOHN SPELLMAN
Governor.

Office of the Governor, April 3, 1982.

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

LADIES AND GENTLEMEN:

I am returning herewith without my approval SENATE BILL NO. 3944 entitled:

“An Act relating to unemployment compensation.”

Senate Bill No. 3944 would represent a departure from established labor management practices in the State of Washington and would present the potential of abuse in terms of denial of unemployment benefits to non-strikers out of work because of an employer lock-out in the absence of a labor dispute and work stoppage.

Engrossed House Bill No. 660, which passed the House in 1981, addresses the problems this bill attempts to correct in a more precise manner and would be acceptable to me.

Respectfully submitted,
JOHN SPELLMAN
Governor.

Office of the Governor, April 19, 1982.

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

LADIES AND GENTLEMEN:

I am returning herewith without my approval as to Section 25 of ENGROSSED SENATE BILL NO. 4250 entitled:

“An Act relating to revenue and taxation.”

Section 25 stipulates that revenues received under RCW 66.24.210(2) and 66.24.290(2) shall not be deposited into the liquor revolving fund. This is both unnecessary and superfluous since sections 23 and 24 dedicated the surtax proceeds to the General Fund and provide for the transferring of receipts to the General Fund.

With exception of Section 25, which I have vetoed, the remainder of Engrossed Senate Bill No. 4250 is approved.

Respectfully submitted,
JOHN SPELLMAN
Governor.

Office of the Governor, April 3, 1981.

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

LADIES AND GENTLEMEN:

I am returning herewith without my approval as to the proviso contained in Section 1, Subsection 2(c) SUBSTITUTE SENATE BILL NO. 4285 entitled.

“An Act relating to social and health services.”

The intent of this proviso is admirable. It would attempt to establish an equitable distribution of the \$500 deductible in the medically indigent program among all providers. In practice, however, the proviso would result in administrative complexity and a slowdown in cash flow to the providers. This would be more detrimental than the marginal benefits which might accrue if the proviso were implemented.

With the exception of the proviso in Section 1, subsection 2(c) which I have vetoed, Substitute Senate Bill No. 4285 is approved.

Respectfully submitted,
JOHN SPELLMAN
Governor.

Office of the Governor, April 20, 1982.

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

LADIES AND GENTLEMEN:

I am returning herewith without my approval as to several provisions SUBSTITUTE SENATE BILL NO. 4369, entitled:

“An Act relating to appropriations.”

I have vetoed Section 15, making an appropriation “FOR THE GOVERNOR—MINORITY AND WOMEN’S AFFAIRS” in its entirety. This section will not be necessary as I have also vetoed Section 16, thus leaving intact the existing minority offices.

I have vetoed Section 16, amending the appropriation “FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS, THE COMMISSION ON ASIAN-AMERICAN AFFAIRS, AND THE GOVERNOR’S OFFICE OF INDIAN AFFAIRS” in its entirety. Important and sensitive programs would be eliminated without the opportunity for public input and considered legislative evaluation. Furthermore, the legislature has not provided any statutory mechanism for the establishment of an alternate organization.

I have vetoed Section 43, subsection (6), which requires that any caseload savings lapse at the end of each calendar quarter. This section conflicts with Section 47(4), which allows the transfer of up to \$7.0 million into the Administration program. It is also unnecessarily restrictive because it prevents any use of savings to offset further losses in Federal funds.

I have vetoed Sections 49 and 57. These sections would have repealed the appropriation for the Commission for the Blind and transferred it to the Department of Social and Health Services, authorizing DSHS to provide services to the blind. This would have the effect of nullifying existing law in

RCW 74.16, which requires the Commission for the Blind to distribute funds and provide services to the blind. In effect, the legislature would have placed the dollars with DSHS, while leaving the statutory responsibility for the provision of services with the Commission for the Blind.

With the exceptions noted above, Substitute Senate Bill No. 4369 is approved.

Respectfully submitted,
JOHN SPELLMAN
Governor.

Office of the Governor, March 27, 1982.

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

LADIES AND GENTLEMEN:

I am returning herewith without my approval as to one section SENATE BILL NO. 4558 entitled:

“An Act relating to industrial insurance coverage.”

Section 2 of this bill contains current statutory language with no amendments. This presents a conflict with Engrossed House Bill 454, which also contains this section of existing law but with amendatory language. I have vetoed Section 2 in order to avoid difficulties in codification and future interpretation of this section of the Code.

With the exception of Section 2 which I have vetoed, Senate Bill No. 4558 is approved.

Respectfully submitted,
JOHN SPELLMAN
Governor.

Office of the Governor, March 27, 1982.

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

LADIES AND GENTLEMEN:

I am returning herewith without my approval as to Section 4 SUBSTITUTE SENATE BILL NO. 4566 entitled:

“An Act relating to agriculture and marketing.”

Section 4 exempts agricultural commodity commissions from paying for audits performed by the State Auditor. Exempting commodity commissions from the requirements to reimburse the State Auditor for services received is inequitable and an unwarranted exception to the established policy of agencies paying for services received. It is particularly inappropriate in that this bill provides for a reduction in the frequency of required audits by the State Auditor from annual audits to at least one audit every five years.

By exempting agricultural commodity commissions from the definition of a “state department” Section 4 could also exempt these commissions from the jurisdiction of the State Auditor for purposes of departmental audits.

I have therefore vetoed Section 4. The remainder of Substitute Senate Bill No. 4566 is approved.

Respectfully submitted,
JOHN SPELLMAN
Governor.

Office of the Governor, April 6, 1982.
 TO THE HONORABLE, THE SENATE OF THE STATE OF
 WASHINGTON.

LADIES AND GENTLEMEN:

I am returning herewith without my approval as to one section of
 ENGROSSED SENATE BILL NO. 4748 entitled:

"An Act relating to beer and wine."

Section 3 of ESB 4748 contains an undesirable provision regarding out-
 of-state liquor importers and wholesalers. In direct violation of the intent of
 RCW 66.28.010, out-of-state liquor importers and wholesalers would be
 permitted to have financial interests in Class A retail liquor licensed
 establishments in the state of Washington.

RCW 66.28.010, together with liquor licensing regulations, absolutely
 and specifically precludes any manufacturer or distributor of liquor from
 having any kind of a financial interest in a licensed retail outlet. The
 language of RCW 66.28.010 regarding the financial relationships within the
 state's liquor industry has not changed since the original Washington State
 Liquor Control Act was adopted by the legislature in 1933. It was the intent
 of the legislature to absolutely prohibit the "tied-house" arrangements of the
 pre-prohibition days.

If enacted, Section 3 of ESB 4748 would violate the original tied-house
 provisions of the states liquor control laws and establish a dangerous
 precedent for future piecemeal amendments to RCW 66.28.010. This statute
 is an integral part of the state's liquor control laws. Piecemeal modifications,
 such as, Section 3 of ESB 4748, will weaken liquor control statutes and
 threaten the integrity of the entire liquor control system.

With the exception of Section 3, which I have vetoed, the remainder of
 Engrossed Senate Bill No. 4748 is approved.

Respectfully submitted,
 JOHN SPELLMAN
 Governor.

Office of the Governor, April 3, 1982.
 TO THE HONORABLE, THE SENATE OF THE STATE OF
 WASHINGTON.

LADIES AND GENTLEMEN:

I am returning herewith without my approval as to Sections 17, 18, 19,
 20, 21, 22, 23, and 24 SENATE BILL NO. 4786 entitled:

"An Act relating to community mental health services."

I am vetoing these sections because they conflict with similar sections in
 House Bill 410 which contain amendatory language. I have done this to
 avoid difficulties in codification and future interpretation of these sections of
 the Code.

With the exception of Sections 17, 18, 19, 20, 21, 22, 23, and 24, which I
 have vetoed, the remainder of Senate Bill No. 4786 is approved.

Respectfully submitted,
 JOHN SPELLMAN
 Governor.

**GOVERNOR'S MESSAGES ON SENATE BILLS
SIGNED AFTER ADJOURNMENT**

—1981—

SECOND SPECIAL SESSION

—1982—

REGULAR SESSION

AND

FIRST AND SECOND SPECIAL SESSIONS

OF THE

FORTY-SEVENTH LEGISLATURE

Office of the Governor, April 8, 1982.

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

LADIES AND GENTLEMEN:

I have the honor to advise you that on April 8, 1982, Governor Spellman approved the following Senate Bills entitled:

SUBSTITUTE SENATE BILL NO. 4841: Relating to winter recreation.

SENATE BILL NO. 4634: Relating to property taxation.

SUBSTITUTE SENATE BILL NO. 4864: Relating to the purchase of certain sites owned by the department of natural resources.

Sincerely,
MARILYN SHOWALTER
Counsel to the Governor.

Office of the Governor, April 21, 1982.

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

LADIES AND GENTLEMEN:

I have the honor to advise you that on April 20, 1982 Governor Spellman approved the following Senate Bills entitled:

SUBSTITUTE SENATE BILL NO. 4992: Relating to the tax advisory council.

SECOND SUBSTITUTE SENATE BILL NO. 4603: Relating to public improvements financing.

SENATE BILL NO. 4996: Relating to joint operating agencies.

SENATE BILL NO. 4995: Relating to joint operating agencies.

SENATE BILL NO. 4705: Relating to state purchasing.

SENATE BILL NO. 3783: Relating to revaluation of property.

SENATE BILL NO. 4972: Relating to local government finance.

SUBSTITUTE SENATE BILL NO. 5007: Relating to compensation for public service.

SENATE BILL NO. 4640: Relating to retirement from public service.

Sincerely,
MARILYN SHOWALTER
Counsel to the Governor.

Office of the Governor, July 16, 1982.

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

LADIES AND GENTLEMEN:

I have the honor to advise you that on July 16, 1982 Governor Spellman approved the following Senate Bills entitled:

SENATE BILL NO. 5014: Relating to modifying the taxation of electrical energy.

SENATE BILL NO. 5015: Relating to increasing the insurance premiums tax.

SENATE BILL NO. 5021: Relating to modifying appropriations for the 1981-83 fiscal biennium.

SENATE BILL NO. 5016: Relating to inventories.

SENATE BILL NO. 5030: Relating to revenue and taxation.

SENATE BILL NO. 5032: Relating to revenue and taxation.

SENATE BILL NO. 5033: Relating to budget and accounting.

Sincerely,
MARILYN SHOWALTER
Counsel to the Governor.

SENATE ROSTER

—1981—

SECOND SPECIAL SESSION

—1982—

REGULAR SESSION

AND

FIRST AND SECOND SPECIAL SESSIONS

OF THE

FORTY-SEVENTH LEGISLATURE

JOHN A. CHERBERG, President SIDNEY R. SNYDER, Secretary

SAM C. GUESS, President Pro Tempore

GEORGE W. CLARKE, Vice President Pro Tempore

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	Previous Legislative Sessions Served	
								Senate	House
Bauer, Al	49	Clark	13611 N.E. 20th Ave., Vancouver 98665	53	Montana	D	Farmer- Educator	1981-82	1971-80
Benitz, Max E.	8	Yakima, part Benton	Rt. 2, Box 2521, Prosser 99350	65	Kansas	R	Agri- Business	1975-82	1969-74
Bluechel, Alan	45	King, part	9901 N.E. 124th St. No. 505 Kirkland 98033	57	Alberta, Canada	R	President, Loctwall Corporation	1975-82	1967-74
Bottiger R. Ted	2	Pierce, part Thurston, part	8849 Pacific Ave., Tacoma 98444	49	Washington	D	Attorney	1973-82	1965-72
Charnley, Donn	44	King, part	19344 11th Ave. N.W., Seattle 98177	54	Michigan	D	Professor	1981-82	1971-80
Clarke, George W.	41	King, part	1111 Hoge Bldg., Seattle 98104	75	Iowa	R	Attorney	**** 1/8/71, 1971-82	1967-70
Conner, Paul H.	24	Clallam Mason Jefferson Thurston, part	195 Pinnell Rd. Sequim 98382	56	Washington	D	Self-employed	**** 1957, 1979-82	1959-77
Craswell, Ellen	23	Kitsap, part	8066 Chico Way N.W., Bremerton 98310	50	Washington	R	Housewife	1981-82	1977-80
Deccio, Alex A.	14	Yakima, part	P.O. Box 1343 Yakima 98907	54	Washington	R	Insurance Broker	1981-82	1975-80
Fleming George	37	King, part	1100 Lake Wash- ington Blvd. So., Seattle 98144	43	Texas	D	Economic Devel. Mgr., Pacific N.W. Bell	1971-82	1969-70

*Served as Assistant Chief Clerk or Acting Chief Clerk 1957 to May, 1969.

****Appointed

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	Previous Legislative Sessions Served	
								Senate	House
Fuller, W.H. "Bill"	20	Lewis Wahkiakum Cowlitz, part Thurston, part Pacific, part	330 Brockway Rd. Chehalis 98532	68	Idaho	R	Supermarket Operator	1981-82	1977-80
Gallaghan, Art	26	Kitsap, part Pierce, part	3911 55th St. Ct. N.W., Gig Harbor 98335	58	California	R	Clientele Coordinator, Dept. of Fisheries	1979-82	
Gaspard, Marcus S.	25	King, part Pierce, part	8220 - 191st Ave. E., Sumner 98390	33	Washington	D	Accountant	1977-82	1973-76
Goltz, H.A. "Barney"	42	Whatcom, part	3003 Vallette St., Bellingham 98225	57	Minnesota	D	University Administrator	1975-82	1973-74
Gould, Susan E.	21	Snohomish, part	19225 92nd W. Edmonds 98020	52	Washington	R		1975-82	
Guess, Sam C.	6	Spokane, part	W. 408-33rd Ave., Spokane 99203	72	Mississippi	R	Engineer	1963-82	
Haley, Ted	28	Pierce, part	5800 100th St. S.W. #30, Tacoma 98499	62	Washington	R	Physician	1980-82	1975-79
Hansen, Frank "Tub"	13	Kittitas Grant, part Yakima, part	Star Rt., Box 73 Moses Lake 98837	68	Washington	D	Retired Rancher and Businessman	1979-82	1973-77
Hayner, Jeannette	16	Franklin Walla Walla Columbia, part	P.O. Box 454, Walla Walla 99362	62	Oregon	R	Attorney	1977-82	1973-76
Hemstad, Dick	22	Thurston	130 No. Sherman Olympia 98502	48	Wisconsin	R	Attorney & Professor	1981-82	
Hughes, Jerry M.	5	Spokane, part	N. 3504 Milton Spokane 99205	37	New York	D	Instructor, Gonzaga Univ. North Central Spokane	1981-82	1977-80
Hurley, Margaret	3	Spokane, part	E. 730 Boone Ave., Spokane 99202		Minnesota	D	Former Teacher	1980-82	1953-79
Jones, John D.	49	King, part	18 Bridlewood Circle, Kirkland 98033	58	Wales	R	Consumer Affairs Manager, Pac. N.W. Bell	**** 1973, 1973-82	1971-72
Kiskaddon, Bill	1	King, part Snohomish, part	4404-242nd Pl. S.W. Mountlake Terrace 98043	53	California	R	Counselor & Therapist	1981-82	1966-72
Lee, Eleanor	33	King, part	P.O. Box 66274 Burien 98166	50	Illinois	R	Business Manager	1979-82	1975-77
Lysen, King	31	King, part	12864 Shorecrest Dr. S.W. Seattle 98146	39	Minnesota	D	Real Estate	1979-82	1971-77
McCaslin, Bob	4	Spokane, part Whitman, part	E. 12719 23rd Spokane 99216	56	Ohio	R	Real Estate	1981-82	
McDermott, James A.	43	King, part	1650 22nd Ave. E., Seattle 98112	45	Illinois	D	Physician	1975-82	1971-72

*Served as Assistant Chief Clerk or Acting Chief Clerk 1957 to May, 1969.

****Appointed

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	Previous Legislative Sessions Served	
								Senate	House
Metcalf, Jack	10	Island Snohomish, part	3273 E. Saratoga Rd. Langley 98260	55	Washington	R	Teacher	1967-74 1981-82	1961-63
Moore, Ray	36	King, part	1722 Bigelow Ave. N. Seattle 98109	70	Washington	D	Investment Sec. Restaurant Owner & Partner Sagemoor Farms	1979-82	
Newhouse, Irving	15	Yakima, part	Rt. 1, Box 130, Mabton 98935	61	Washington	R	***** Diversified Rancher	1981 1982	1965-79
Patterson, E.G. "Pat"	9	Adams Asotin Garfield Columbia, part Grant, part Whitman, part	N.E. 400 Campus, Pullman 99163	62	Washington	R	Retired Director, WSU Alumni Relations	1981-82	1973-80
Peterson, Lowell	40	San Juan Skagit Whatcom, part	Box 249, Concrete 98237	60	Washington	D	Oil Distributor	1965-82	
Pullen, Kent	47	King, part	22844 172nd Ave. S.E., Kent 98031	39	Texas	R	Chemist	1975-82	1973-74
Quigg, J.T.	19	Grays Harbor, part Pacific, part	613 North K St., Aberdeen 98520	34	Washington	R	Construction	1979-82	
Rasmussen, A.L. "Slim"	29	Pierce, part	5415 A St., Tacoma 98408	72	Washington	D	Real Estate	1963-67 ***** 10/1/71 1971-82	1945-59
Ridder, Ruthe	35	King, part	5809 S. Roxbury, Seattle 98118	52	Washington	D	Housewife	1974-82	
Scott, George W.	46	King, part	8821 Paisley Dr. N.E., Seattle 98115	44	Washington	R		1971-82	1969-70
Sellar, George L.	12	Chelan Douglas Grant, part Okanogan, part	1324 Terrace Dr., E. Wenatchee 98801	52	Illinois	R	Asst. Mgr., Port of Chelan Co.	***** 1/7/72, 1972-82	
Shinpooh, A.N. "Bud"	11	King, part	361 Maple Ave. N.W., Renton 98055	57	Oklahoma	D	Member of Management, The Boeing Company	***** 12/7/77 1979-82	1970-77
Talley, Don L.	18	Clark, part Cowlitz, part	4460 Pleasant Hill Rd., Kelso 98626	63	Washington	D	Supervisor, Port of Longview	1957-82	
Talmadge, Phil	34	King, part	4006 53rd S.W., Seattle 98116	30	Washington	D	Attorney	1979-82	
Vognild, Larry L.	38	Snohomish	3201 Wetmore, Everett 98201	50	Washington	D	Self-employed	1979-82	

*Served as Assistant Chief Clerk or Acting Chief Clerk 1957 to May, 1969.

*****Appointed

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	Previous Legislative Sessions Served	
								Senate	House
von Reichbauer, Peter	30	King, part	403 Leg. Bldg., Olympia 98504	37	Washington	R	Investment Management	1974-82	.....

Williams, Al	32	King, part	4801 Fremont N., Seattle 98103	51	No. Dakota	D	Architect	2/4/78, 1979-82	1970-77
		Ferry Lincoln Pend Oreille Stevens							
Wilson, Bruce A.	7	Okanogan, part Spokane, part	P.O. Box F, Omak 98841	60	Illinois	D	Retired Newspaper Publisher	1969-72, 1975-82	.....
Wojahn, R. Lorraine	27	Pierce, part	3592 E. K St., Tacoma 98404	61	Washington	D		1977-82	1969-76

Woody, Dianne H.	39	King, part Snohomish, part	24328 - 47th, Woodinville 98072		Washington	D		9/27/77 1979-82	.....
		Klickitat Skamania					Newspaper Columnist, Associate		
Zimmerman, Harold S.	17	Clark, part	1432 N.E. 6th Ave. Camas 98607	59	No. Dakota	R	Producer	1981-82	1967-80
Lieutenant Governor Cherberg, John A.		President of the Senate	Legislative Building, Olympia 98504	71	Florida	D	Lieutenant Governor	Elected 1957, 1957-82	.....
Snyder, Sidney R.		Secretary of the Senate	P.O. Box 531, Long Beach 98631	55	Washington	D	Owner, Operator, Supermarket	Elected 5/12/69 1969-82	*
Brachtenbach Marilyn		Deputy Sec. of the Senate	5049 1/2 Indian Rd. N.E., Olympia 98506	37	Oregon	R	Professional	Apptd. 2/13/81 1981-82	.....
Hildebrand, Fred		Sgt. at Arms	1443 N. Baltimore Tacoma 98406	58	Washington	R	Businessman	Elected 2/13/81 1981-82	.....

*Served as Assistant Chief Clerk or Acting Chief Clerk: 1957 to May, 1969.

****Appointed

STANDING COMMITTEES OF THE SENATE
—1981—
SECOND SPECIAL SESSION
—1982—
REGULAR SESSION
AND
FIRST AND SECOND SPECIAL SESSIONS
OF THE
FORTY-SEVENTH LEGISLATURE

JOHN A. CHERBERG, President
 SAM C. GUESS, President Pro Tempore
 GEORGE W. CLARKE, Vice President Pro Tempore
 SIDNEY R. SNYDER, Secretary

AGRICULTURE (6)—NEWHOUSE, CHAIRMAN; Benitz, Gaspard, Hansen, Jones, Wilson.

COMMERCE AND LABOR (7)—QUIGG, CHAIRMAN; Hurley, Jones, Newhouse, Sellar, Vognild, Williams.

CONSTITUTIONS AND ELECTIONS (7)—PULLEN, CHAIRMAN; Clarke, Conner, Gould, Metcalf, Ridder, Woody.

EDUCATION (9)—KISKADDON, CHAIRMAN; Bottiger, Craswell, Gaspard, Hemstad, Lee, Scott, Talmadge, Wojahn.

ENERGY AND UTILITIES (11)—GOULD, CHAIRMAN; McCASLIN, VICE CHAIRMAN; Fuller, Hemstad, Hurley, Moore, Newhouse, Quigg, Williams, Wilson, Woody.

FINANCIAL INSTITUTIONS AND INSURANCE (9)—SELLAR, CHAIRMAN; Bauer, Bluechel, Bottiger, Clarke, Haley, Lysen, Pullen, Wojahn.

HIGHER EDUCATION (9)—BENITZ, CHAIRMAN; Charnley, Goltz, Guess, McDermott, Patterson, Scott, Shinpoch, von Reichbauer.

JUDICIARY (9)—CLARK, CHAIRMAN; HEMSTAD, VICE CHAIRMAN; Hayner, Hughes, Newhouse, Pullen, Shinpoch, Talmadge, Woody.

LOCAL GOVERNMENT (9)—ZIMMERMAN, CHAIRMAN; Bauer, Charnley, Fuller, Gould, Lee, McCaslin, Talley, Wilson.

NATURAL RESOURCES (9)—GALLAGHAN, CHAIRMAN; Lee, Lysen, Patterson, Peterson, Rasmussen, Vognild, von Reichbauer, Zimmerman.

PARKS AND ECOLOGY (11)—FULLER, CHAIRMAN; Bluechel, Goltz, Guess, Haley, Hansen, Hughes, Hurley, Quigg, Williams, Zimmerman.

RULES (15)—JOHN A. CHERBERG, CHAIRMAN; Bluechel, Bottiger, Fleming, Goltz, Guess, Haley, Hayner, Hemstad, Jones, Lee, Newhouse, Patterson, Peterson, Shinpoch, Talley.

SOCIAL AND HEALTH SERVICES (9)—DECCIO, CHAIRMAN; Craswell, Kiskaddon, McCaslin, Metcalf, Moore, Rasmussen, Ridder, Talmadge.

STATE GOVERNMENT (11)—METCALF, CHAIRMAN; Benitz, Conner, Deccio, Fleming, Gallagher, McDermott, Moore, Quigg, Rasmussen, Sellar.

TRANSPORTATION (15)—von REICHBAUER, CHAIRMAN; PATTERSON, VICE CHAIRMAN; SELLAR, VICE CHAIRMAN; Benitz, Charnley, Conner, Gallagher, Guess, Hansen, Kiskaddon, Lysen, Metcalf, Peterson, Talley, Vognild.

WAYS AND MEANS (17)—SCOTT, CHAIRMAN; Bauer, Bluechel, Craswell, Deccio, Fleming, Gaspard, Haley, Hayner, Hughes, Jones, Lee, McDermott, Pullen, Ridder, Wojahn, Zimmerman.

**INDIVIDUAL COMMITTEE ASSIGNMENTS
 OF THE SENATE
 —1981—
 SECOND SPECIAL SESSION
 —1982—
 REGULAR SESSION
 AND
 FIRST AND SECOND SPECIAL SESSIONS
 OF THE
 FORTY-SEVENTH LEGISLATURE**

- BAUER (Albert)—Financial Institutions and Insurance, Local Government, Ways and Means.
- BENITZ (Max E.)—CHAIRMAN: HIGHER EDUCATION; Agriculture, State Government, Transportation.
- BLUECHEL (Alan)—Financial Institutions and Insurance, Parks and Ecology, Rules, Ways and Means.
- BOTTIGER (R. Ted)—Education, Financial Institutions and Insurance, Rules.
- CHARNLEY (Donn)—Higher Education, Local Government, Transportation.
- CLARKE (George W.)—CHAIRMAN: JUDICIARY; Constitutions and Elections, Financial Institutions and Insurance.
- CONNER (Paul)—Constitutions and Elections, State Government, Transportation.
- CRASWELL (Ellen)—Education, Social and Health Services, Ways and Means.
- DECCIO (Alex A.)—CHAIRMAN: SOCIAL AND HEALTH SERVICES; State Government, Ways and Means.
- FLEMING (George)—Rules, State Government, Ways and Means.
- FULLER (W. H. "Bill")—CHAIRMAN: PARKS AND ECOLOGY; Energy and Utilities, Local Government.
- GALLAGHAN (Art)—CHAIRMAN: NATURAL RESOURCES; State Government, Transportation.
- GASPARD (Marcus)—Agriculture, Education, Ways and Means.
- GOLTZ (H. A. "Barney")—Higher Education, Parks and Ecology, Rules.
- GOULD (Susan E.)—CHAIRMAN: ENERGY AND UTILITIES; Constitutions and Elections, Local Government.
- GUESS (Sam C.)—Higher Education, Parks and Ecology, Rules, Transportation.
- HALEY (Ted)—Financial Institutions and Insurance, Parks and Ecology, Rules, Ways and Means.
- HANSEN (Frank "Tub")—Agriculture, Parks and Ecology, Transportation.
- HAYNER (Jeannette)—Judiciary, Rules, Ways and Means.
- HEMSTAD (Dick)—VICE CHAIRMAN: JUDICIARY; Education, Energy and Utilities, Rules.
- HUGHES (Jerry M.)—Judiciary, Parks and Ecology, Ways and Means.
- HURLEY (Margaret)—Commerce and Labor, Energy and Utilities, Parks and Ecology.
- JONES (John D.)—Agriculture, Commerce and Labor, Rules, Ways and Means.
- KISKADDON (Bill)—CHAIRMAN: EDUCATION; Social and Health Services, Transportation.
- LEE (Eleanor)—Education, Local Government, Natural Resources, Rules, Ways and Means.

- LYSEN (King)—Financial Institutions and Insurance, Natural Resources, Transportation.
- McCASLIN (Bob)—VICE CHAIRMAN: ENERGY AND UTILITIES; Local Government, Social and Health Services.
- McDERMOTT (James A.)—Higher Education, State Government, Ways and Means.
- METCALF (Jack)—CHAIRMAN: STATE GOVERNMENT; Constitutions and Elections, Social and Health Services, Transportation.
- MOORE (Ray)—Energy and Utilities, Social and Health Services, State Government.
- NEWHOUSE (Irving)—CHAIRMAN: AGRICULTURE; Commerce and Labor, Energy and Utilities, Judiciary, Rules.
- PATTERSON (E. G. "Pat")—VICE CHAIRMAN: TRANSPORTATION; Higher Education, Natural Resources, Rules.
- PETERSON (Lowell)—Natural Resources, Rules, Transportation.
- PULLEN (Kent)—CHAIRMAN: CONSTITUTIONS AND ELECTIONS; Financial Institutions and Insurance, Judiciary, Ways and Means.
- QUIGG (J. T.)—CHAIRMAN: COMMERCE AND LABOR; Energy and Utilities, Parks and Ecology, State Government.
- RASMUSSEN (A. L. "Slim")—Natural Resources, Social and Health Services, State Government.
- RIDDER (Ruthe)—Constitutions and Elections, Social and Health Services, Ways and Means.
- SCOTT (George W.)—CHAIRMAN: WAYS AND MEANS; Education, Higher Education.
- SELLAR (George L.)—CHAIRMAN: FINANCIAL INSTITUTIONS AND INSURANCE; VICE CHAIRMAN: TRANSPORTATION; Commerce and Labor, State Government.
- SHINPOCH (A. N. "Bud")—Higher Education, Judiciary, Rules.
- TALLEY (Don L.)—Local Government, Rules, Transportation.
- TALMADGE (Phil)—Education, Judiciary, Social and Health Services.
- VOGNILD (Larry L.)—Commerce and Labor; Natural Resources, Transportation.
- von REICHBAUER (Peter)—CHAIRMAN: TRANSPORTATION; Higher Education, Natural Resources.
- WILLIAMS (Al)—Commerce and Labor, Energy and Utilities, Parks and Ecology.
- WILSON (Bruce A.)—Agriculture, Energy and Utilities, Local Government.
- WOJAHN (R. Lorraine)—Education, Financial Institutions and Insurance, Ways and Means.
- WOODY (Dianne)—Constitutions and Elections, Energy and Utilities, Judiciary.
- ZIMMERMAN (Hal)—CHAIRMAN: LOCAL GOVERNMENT; Natural Resources, Parks and Ecology, Ways and Means.

**STATUTORY AND SELECT
COMMITTEE APPOINTMENTS**

—1981—

SECOND SPECIAL SESSION

—1982—

REGULAR SESSION

AND

FIRST AND SECOND SPECIAL SESSIONS

OF THE

FORTY-SEVENTH LEGISLATURE

**ACTUARY, OFFICE OF, SPECIAL COMMITTEE
(RCW 44.44.010)**

SENATORS

Alan Bluechel
Ray Moore
George W. Scott

REPRESENTATIVES

Jeanette Berleen
Noel Bickham
Joseph E. King

**ADMINISTRATIVE RULES REVIEW, JOINT COMMITTEE
(RCW 34.04.210)**

SENATORS

Alex A. Deccio
Marcus Gaspard
Eleanor Lee
A. N. "Bud" Shinpoch

REPRESENTATIVES

Bob Eberle
Richard King
Eugene A. Prince
George W. Walk

**AGING, STATE COUNCIL ON
(RCW 43.20A.680)**

SENATORS

Marcus Gaspard
Susan E. Gould

REPRESENTATIVES

Paul Pruitt
J. Vander Stoep

**AQUATIC LANDS, JOINT LEGISLATIVE COMMITTEE
(SSB 4824, 1982)**

SENATORS

George W. Clarke
Art Gallagher
Ray Moore

REPRESENTATIVES

Emilio Cantu
John Martinis
Simeon R. "Sim" Wilson

**ARTS COMMISSION, WASHINGTON STATE
(RCW 43.46.020)**

SENATOR

Alan Bluechel

REPRESENTATIVE

Joan Houchen

**ARTS COMMITTEE, JOINT LEGISLATIVE
(RCW 44.42.030)**

SENATORS

Dick Hemstad
Bill Kiskaddon
James A. McDermott
Al Williams

REPRESENTATIVES

Shirley A. Galloway
John L. O'Brien
William M. Polk
Simeon R. "Sim" Wilson

**CAPITAL AREA MASTER PLAN
(SSB 3843, 1981-Sec. 3, Sub (15))**

SENATORS

John D. Jones
Al Williams

REPRESENTATIVES

Gene Struthers
Alan Thompson

**CHILD ABUSE AND NEGLECT, COUNCIL ON
(3rd SHB 179, 1982)**

SENATORS

Alan Bluechel
James A. McDermott

REPRESENTATIVES

Jeanette Berleen
Shirley A. Galloway

**COLUMBIA INTERSTATE COMPACT COMMISSION
(RCW 43.57.010)**

SENATORS

Albert Bauer
George L. Sellar

REPRESENTATIVES

Robert L. Chamberlain
Shirley A. Galloway

**COLUMBIA RIVER GORGE COUNCIL
(RCW 43.97A.020)**

SENATOR

Hal Zimmerman

REPRESENTATIVES

Robert L. Chamberlain
Dennis L. Heck

**CORRECTIONS STANDARDS BOARD
(RCW 72.09.140)**

SENATORS

Max E. Benitz
Dianne Woody

REPRESENTATIVES

Joan Houchen
Helen Sommers

**CRIMINAL JUSTICE, SELECT COMMITTEE ON
(SFR 1981-21)**

SENATORS

Ellen Craswell
King Lysen
Jack Metcalf
Kent Pullen
Ruthe Ridder
Larry L. Vognild

REPRESENTATIVES

(None)

**EDUCATION COMMISSION OF THE STATES
(RCW 28A.92.020)**

SENATOR

Bill Kiskaddon

REPRESENTATIVE

Lyle J. Dickie

**EDUCATION POLICIES, STRUCTURE AND MANAGEMENT,
COMMITTEE ON
(SB 3609, 1982)**

SENATORS

Albert Bauer
Max E. Benitz

REPRESENTATIVES

Lyle J. Dickie
Dan Grimm

**ENERGY ADVISORY COUNCIL
(RCW 43.21F.085)**

SENATORS

R. Ted Bottiger
Ted Haley

REPRESENTATIVES

R. M. "Dick" Bond
Lorraine A. Hine

**ENERGY AND UTILITIES, JOINT COMMITTEE ON
(RCW 44.39.010)**

SENATORS

R. Ted Bottiger
Susan E. Gould
Irving Newhouse
Al Williams

REPRESENTATIVES

Richard O. Barnes
Rick S. Bender
Lorraine A. Hine
Steve Tupper

**ENVIRONMENTAL POLICY COMMISSION (SEPA)
(RCW 43.21C.202)**

SENATORS

Alan Bluechel
W. H. "Bill" Fuller
Margaret Hurley
Al Williams

REPRESENTATIVES

Richard "Doc" Hastings
Homer Lundquist
Eugene V. Lux
Georgette Valle

**ETHICS BOARD, JOINT LEGISLATIVE
(RCW 44.60.020)**

SENATORS

Max E. Benitz
H. A. "Barney" Goltz
George L. Sellar
Bruce A. Wilson

REPRESENTATIVES

Helen Fancher
Paul Pruitt
Marion Kyle Sherman
Roger Van Dyken

**EXPO '86, JOINT SELECT COMMITTEE ON
(SCR 138, 1982)**

SENATORS

Alan Bluechel
H. A. "Barney" Goltz
Dick Hemstad
Lowell Peterson

REPRESENTATIVES

Seth Armstrong
Pat Fiske
Avery Garrett
Paul Sanders

**FINANCIAL INSTITUTIONS, JOINT COMMITTEE ON
(HB 833, 1982)**

SENATORS

Marcus Gaspard
John D. Jones
George L. Sellar
R. Lorraine Wojahn

REPRESENTATIVES

Noel Bickham
Dan Dawson
Richard King
Carol Monohon

**FINANCIAL RESPONSIBILITY FOR RESIDENTIAL
AND NONRESIDENTIAL SERVICES, JOINT SELECT COMMITTEE ON
(SSB 4418, 1982)**

SENATORS

Alex A. Deccio
Bill Kiskaddon
James A. McDermott
Ruthe Ridder
Phil Talmadge
Hal Zimmerman

REPRESENTATIVES

Joanne J. Brekke
Shirley Williams Hankins
Stanley C. Johnson
Mike Kreidler
James B. Mitchell
Georgette Valle

**FOREST AND TIMBER LAND TAXATION,
SELECT COMMITTEE ON
(SENATE EXECUTIVE RULES, 1981)**

SENATORS

Albert Bauer
Max E. Benitz
R. Ted Bottiger
W. H. "Bill" Fuller
Jeannette Hayner
Lowell Peterson
George L. Sellar

REPRESENTATIVES

Noel Bickham
Rod Chandler
Irv Greengo
Richard "Doc" Hastings
John Martinis
Nancy S. Rust
Alan Thompson

**FUNDING FOR THE ARTS, AD HOC COMMITTEE ON
(F & O RESOLUTION, 1981)**

SENATORS

Donn Charnley
Susan E. Gould
Dick Hemstad
Ruthe Ridder

REPRESENTATIVES

Richard H. Barrett
Dan McDonald
Dick Nelson
Nita Rinehart

**GAMBLING COMMISSION, WASHINGTON STATE
(RCW 9.46.040)**

SENATORS

W. H. "Bill" Fuller
Ray Moore

REPRESENTATIVES

Brad Owen
Gene Struthers

**INSTITUTIONAL INDUSTRIES BOARD
(RCW 72.09.070)**

SENATORS

Jack Metcalf
A. L. "Slim" Rasmussen

REPRESENTATIVES

John Erak
Delores E. Teutsch

**INTERNATIONAL PERFORMING ARTS FESTIVAL
STEERING COMMISSION
(RCW 43.31.940)**

SENATORS

Alan Bluechel
Paul Conner

REPRESENTATIVES

William M. Polk
Frank J. Warnke

**INTERNATIONAL TRADE, JOINT SELECT
LEGISLATIVE COMMITTEE ON
(SCR 109, 1981)**

SENATORS

R. Ted Bottiger
George Fleming
Jeannette Hayner
John D. Jones
J. T. Quigg

REPRESENTATIVES

Richard H. Barrett
Dan Grimm
Gary A. Nelson
William M. Polk
Paul Sanders
Earl F. Tilly

**JAIL COMMISSION
(RCW 70.48.030)**

SENATORS

Donn Charnley
Peter von Reichbauer

REPRESENTATIVES

Joanne J. Brekke
C. R. "Dick" Nickell

**JUDICIAL COUNCIL
(RCW 2.52.010)**

SENATORS

George W. Clarke
Jerry M. Hughes
Irving Newhouse
Phil Talmadge

REPRESENTATIVES

Mary Kay Becker
William H. Ellis
Mike Padden
Art Wang

**LEAP COMMITTEE
(RCW 44.48.010)**

SENATORS

Ellen Craswell
John D. Jones
A. N. "Bud" Shinpoch
R. Lorraine Wojahn

REPRESENTATIVES

Rod Chandler
Dan McDonald
Nita Rinehart
Alan Thompson

**LEGISLATIVE BUDGET COMMITTEE
(RCW 44.28.010)**

SENATORS

George W. Clarke
George Fleming
Jeannette Hayner
James A. McDermott
A. L. "Slim" Rasmussen
Ruthe Ridder
George W. Scott
Hal Zimmerman

REPRESENTATIVES

Otto Amen
Wayne Ehlers
Irv Greengo
Gary A. Nelson
Helen Sommers
Alan Thompson
Frank J. Warnke
Bob Williams

**LEOFF RETIREMENT SYSTEM, SELECT COMMITTEE ON
(SB 4640, 1982)**

SENATORS

Irving Newhouse
Phil Talmadge
Larry L. Vognild
Peter von Reichbauer

REPRESENTATIVES

Michael E. Patrick
Lois Stratton
Art Wang
Bob Williams

**MILWAUKEE ROAD OPTIONS AND USES, JOINT
SELECT COMMITTEE ON
(SCR 143, 1982)**

SENATORS

Sam C. Guess
Frank "Tub" Hansen
Margaret Hurley
Jack Metcalf

REPRESENTATIVES

Eugene A. Prince
Nancy S. Rust
Gary H. Scott
Earl F. Tilly

**MOUNT ST. HELENS RECOVERY
OPERATIONS COMMITTEE
(SSB 4510, 1982)**

SENATORS

Albert Bauer
Donn Charnley
W. H. "Bill" Fuller
J. T. Quigg
Don L. Talley
Hal Zimmerman

REPRESENTATIVES

Robert L. Chamberlain
Dennis L. Heck
Joseph E. King
Wilma Rosbach
Alan Thompson
Bob Williams

**MUNICIPAL RESEARCH COUNCIL
(RCW 43.110.010)**

SENATORS

Albert Bauer
Donn Charnley
Bob McCaslin
Hal Zimmerman

REPRESENTATIVES

Pat Fiske
Harry James
Frances C. North
Lois Stratton

**OIL AND GAS CONSERVATION ACT, JOINT
SELECT COMMITTEE
(HCR 50, 1982)**

SENATORS

Donn Charnley
Alex A. Deccio
George Fleming
Frank "Tub" Hansen
John D. Jones
Peter von Reichbauer

REPRESENTATIVES

Otto Amen
S. E. "Sid" Flanagan
P. J. "Jim" Gallagher
Dick Nelson
Frances C. North
Wilma Rosbach

**ORGANIZED CRIME ADVISORY BOARD
(RCW 43.43.858)**

SENATORS

R. Ted Bottiger
George W. Clarke
Jeannette Hayner
Jerry M. Hughes

REPRESENTATIVES

Barbara Granlund
Michael E. Patrick
Paul Pruitt
Earl F. Tilly

**PRICE INDEXING ADVISORY COUNCIL
(SSB 4663, 1982)**

SENATORS

Irving Newhouse
Larry L. Vognild

REPRESENTATIVES

John Erak
Homer Lundquist

**REGULATORY COMMITTEE, JOINT LEGISLATIVE
(HCR 16, 1981)**

SENATORS

Alex A. Deccio
Dick Hemstad
James A. McDermott
Jack Metcalf
A. N. "Bud" Shinpoch

REPRESENTATIVES

Harry James
Richard King
Michael R. McGinnis
Carol Monohon
Bob Williams

**SALMON ADVISORY COUNCIL
(RCW 75.18.110)**

SENATOR

Lowell Peterson

REPRESENTATIVE

Wilma Rosbach

**SCIENCE AND TECHNOLOGY, JOINT COMMITTEE ON
(HCR 2, 1981)**

SENATORS

Donn Charnley
H. A. "Barney" Goltz
Susan E. Gould
Sam C. Guess

REPRESENTATIVES

Shirley Williams Hankins
Ray Isaacson
Marion Kyle Sherman
Georgette Valle

**SENTENCING GUIDELINES COMMISSION
(RCW 9.94A.040)**

SENATORS

George W. Clarke
Ruthe Ridder

REPRESENTATIVES

Mary Kay Becker
Mike Padden

**STATE CONVENTION AND TRADE CENTER COUNCIL
(RULES COMMITTEE, JUNE, 1981)
(SCR-116, 1981)**

SENATORS

George Fleming
Bill Kiskaddon
Lt. Gov. John A. Cherberg

REPRESENTATIVES

Rod Chandler
William M. Polk

**STATE EMPLOYEES INSURANCE BOARD
(RCW 41.05.025)**

SENATOR

Irving Newhouse

REPRESENTATIVE

Noel Bickham

**STATUTE LAW COMMITTEE
(RCW 1.08.001)**

SENATORS

George W. Clarke
Phil Talmadge

REPRESENTATIVES

Mary Kay Becker
Mike Padden

*Jeanette Hayner, Ex Officio by Speaker & President

**SUNSET COMMITTEE, JOINT SELECT
(RCW 43.131.120)**

SENATORS

Art Gallagher
Margaret Hurley
Bill Kiskaddon
Jack Metcalf
Dianne Woody

REPRESENTATIVES

Lyle J. Dickie
W. H. "Bill" Garson, Jr.
Jim Lewis
Nita Rinehart
George W. Walk

**TAX ADVISORY COUNCIL
(SB 4992, 1982)**

SENATORS

Ray Moore
George L. Sellar

REPRESENTATIVES

Richard "Doc" Hastings
Dennis L. Heck

**TRADE FAIRS, ADVISORY COUNCIL ON
(RCW 43.31.090)**

SENATORS

Margaret Hurley
John D. Jones

REPRESENTATIVES

William M. Polk
James E. Salatino

**TRANSPORTATION COMMITTEE, LEGISLATIVE
(RCW 44.40.010)**

SENATORS

Paul Conner
 Art Gallagher
 Sam C. Guess
 Frank "Tub" Hansen
 King Lysen
 E. G. "Pat" Patterson
 Lowell Peterson
 J. T. Quigg
 George L. Sellar
 Don L. Talley
 Peter von Reichbauer

REPRESENTATIVES

Emilio Cantu
 Harold Clayton
 P. J. "Jim" Gallagher
 Homer Lundquist
 John Martinis
 Geraldine McCormick
 Karen Schmidt
 Marion Kyle Sherman
 Curtis P. Smith
 Walt Sprague
 George W. Walk
 Simeon R. "Sim" Wilson

**1989 WASHINGTON STATE CENTENNIAL COMMISSION
(HB 183, 1982)**

SENATORS

W. H. "Bill" Fuller
 Al Williams

REPRESENTATIVES

W. H. "Bill" Garson, Jr.
 Mike Kreidler

**WASHINGTON STATE WINTER RECREATION COMMISSION
(SSB 4841, 1982)**

SENATORS

Alan Bluechel
 R. Ted Bottiger

REPRESENTATIVES

Duane L. Kaiser
 Earl F. Tilly

**WORKERS' COMPENSATION, JOINT SELECT COMMITTEE ON
(RCW 51.04.110)**

SENATORS

Irving Newhouse
 George L. Sellar
 Larry L. Vognild
 R. Lorraine Wojahn

REPRESENTATIVES

Dan Dawson
 Richard King
 Eugene V. Lux
 Michael R. McGinnis

**SENATE BILLS PASSED BY SENATE AND HOUSE
SHOWING THE ACTION BY THE GOVERNOR**

—1981—

SECOND SPECIAL SESSION

—1982—

REGULAR SESSION

AND

FIRST AND SECOND SPECIAL SESSIONS

OF THE

FORTY-SEVENTH LEGISLATURE

<i>Senate Bill No.</i>	<i>Subject</i>	<i>Chapter</i>	<i>Effective Date</i>
3156	Renewable energy systems	159 L 82	6/10/82
3233	Vehicle accident reporting	52 L 82	6/10/82
Sub 3249	Public disclosure revisions	147 L 82	6/10/82
3297	Anti-arson requirements insurance	110 L 82	6/10/82
Sub 3361	Port district small works projects	92 L 82	6/10/82
3394	Cogeneration facilities	2 L 82 E1	3/27/82
Sub 3398	Discount on property taxes	VETOED	
3425	Uranium, thorium milling	78 L 82	6/10/82
3446	Boundary review boards	220 L 82 PV	6/10/82
3495	EMT's certification period	53 L 82	6/10/82
2nd 3541	Oral medication, schools	195 L 82	6/10/82
Sub 3549	Unlicensed drivers, vehicles	8 L 82	6/10/82
3587	Kindergartens/school year	158 L 82	6/10/82
3609	Education policies, structure committee	33 L 82 E1	4/9/82
Sub 3617	ASB funds use	231 L 82	6/10/82
Sub 3679	Guaranty funds/interest	5 L 82	2/25/82
3737	Winter recreation activities	11 L 82	3/4/82
Sub 3743	Judicial retirement/disability	18 L 82	6/10/82
Sub 3783	Physical revaluation property	46 L 82 E1	*
	*4/20/82, Secs. 1,2,3,4,5; Remainder 7/10/82		
3795	Health care premium payments	149 L 82	6/10/82
3847	Uniform allowance/militia	93 L 82	6/10/82
Sub 3913	Unfair business practice deposition	137 L 82	6/10/82
3916	Shoreline classifications	13 L 82 E1	7/10/82
Sub 3927	Railroad crossing protective devices	94 L 82	6/10/82
3944	Unemployment benefits labor dispute	VETOED	
Sub 3946	Aircraft fuel excise tax	25 L 82 E1	7/1/82
4025	Smith's cove waterway	1 L 82 E1	7/10/82
Sub 4046	Cattle/brucellosis vaccination-test	131 L 82	6/10/82
4064	Sewer, water annexation "island"	145 L 82	6/10/82
Sub 4115	Alien/international banking	95 L 82	7/1/82
4133	Death benefits, industrial insurance	20 L 82 E1	7/1/82
Sub 4163	Agricultural leases, state lands	54 L 82	6/10/82
4199	Frances Haddon Morgan children's center	89 L 82	6/10/82
Sub 4200	Public works revisions	98 L 82	6/10/82

<i>Senate Bill No.</i>	<i>Subject</i>	<i>Chapter</i>	<i>Effective Date</i>
Sub 4201	Insurance valuation/nonforfeiture	9 L 82 E1	7/10/82
Sub 4216	Unemployment compensation modification *9/26/82, Sec. 4; Remainder 4/2/82	18 L 82 E1	*
Sub 4250	Revenue and taxation *6/1/82, Secs. 28,29,30; 7/1/82, Secs. 33,34; 1/1/83, Secs. 35,36,37,38; Remainder, 4/19/82	35 L 82 E1 PV	*
Sub 4285	Social and health services	19 L 82 E1 PV	4/3/82
4307	Park rangers/civil service	79 L 82	6/10/82
4313	Youth development/conservation corps	70 L 82	6/10/82
4354	City/county health department	203 L 82	6/10/82
4366	Unlawful issuance of checks	138 L 82	6/10/82
Sub 4369	Appropriations 1981-83 modification	50 L 82 E1 PV	4/20/82
Sub 4418	Social/health financial responsibility act	201 L 82	4/3/82
4425	Port district elections	219 L 82	6/10/82
4436	Implied warranties/livestock	199 L 82	6/10/82
Sub 4437	Commission merchants agricultural products	20 L 82	6/10/82
Sub 4438	Commission merchants	194 L 82	6/10/82
Sub 4449	Judges, Clallam/Jefferson counties	139 L 82	4/1/82
Sub 4460	Bicycle laws revised	55 L 82	6/10/82
Sub 4461	Child sex abuse, actions	129 L 82	6/10/82
4464	Commercial crab licenses	157 L 82	4/1/82
4466	Wildlife agent inspections	152 L 82	6/10/82
4468	Retirement pay deductions	135 L 82	6/10/82
Sub 4469	Interstate highways construction	19 L 82	3/10/82
4474	Spouses, criminal proceedings	56 L 82	6/10/82
4477	Volunteer work/park lands	156 L 82	6/10/82
Sub 4481	Sewer/water districts/plans	213 L 82	6/10/82
4483	Assaults on transit drivers	140 L 82	6/10/82
4484	Commercial zones/term areas	71 L 82	6/10/82
4488	LID's, assessments payments	96 L 82	6/10/82
4491	Supreme court/judges pro tem	72 L 82	6/10/82
4492	Parking offenses	12 L 82 E1	7/10/82
4493	Justice courts jurisdiction	150 L 82	6/10/82
Sub 4501	Prevailing wage statements	130 L 82	6/10/82
Sub 4502	Funds apportioned by SPI *4/1/82, Sec. 3; Remainder 9/1/82	136 L 82	*
Sub 4505	County treasurer investment service	73 L 82	6/10/82
4506	State treasurer/alter CD allocation	74 L 82	6/10/82
4507	State treasurer/treasury surplus	148 L 82	6/10/82
Sub 4510	Mt. St. Helens/recovery operation	7 L 82	2/27/82
4512	Railroad trespass liability	141 L 82	6/10/82
4522	Treaty Indian fisheries	197 L 82	6/10/82
4544	Vehicle owner lists supplied	215 L 82	4/3/82
Sub 4545	MVET exemptions/ride sharing	142 L 82	4/1/82
4547	Antique vehicle licenses	143 L 82	6/10/82
4549	Transportation budget adjustments	57 L 82	3/22/82
Sub 4550	Game department check stations	155 L 82	6/10/82
4551	Commission on equipment	106 L 82	6/10/82
4558	Truck owner-operators	80 L 82 PV	6/10/82
4559	Forms management program	214 L 82	6/10/82
Sub 4561	Professional and other fees	162 L 82	6/10/82
Sub 4562	Multistate fuel tax agreement	161 L 82	4/1/82
Sub 4566	Audits/agricultural marketing funds	81 L 82 PV	6/10/82
4569	Assets of domestic insurers	218 L 82	6/10/82
4571	Port districts/property sales	75 L 82	6/10/82
4584	Arabian horse racing	132 L 82	6/10/82
4599	Mosquito control district tax	217 L 82	6/10/82

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2Sub 4603	Payment, public improvements	42 L 82 E1	7/10/82
Sub 4605	Out-of-state auditing service	128 L 82	3/31/82
4619	Veterans/health problems	97 L 82	6/10/82
4634	State levy adjustments	28 L 82 E1	4/8/82
4635	LEOFF/county disability boards	12 L 82	6/10/82
4636	Retirement systems errors correction	13 L 82	6/10/82
4638	Lump sum payment/retirement	144 L 82	6/10/82
4640	Retirement from public service	52 L 82 E1	*
	*4/20/82, Secs. 9,34; Remainder 7/1/82		
4644	Commingled trust fund	58 L 82	6/10/82
4660	Administrative rule-making notices	221 L 82	6/10/82
Sub 4663	Timber sales program modify	222 L 82	*
	*4/3/82, Secs. 2,3,4,5,6,7,8,9; 4/1/83, Sec. 13; Remainder, 6/10/82		
Sub 4675	School district transportation apportionment...	24 L 82 E1	*
	*9/1/82, Secs. 2,3; Remainder, 7/10/82		
4680	Sheriff's civil service commission	133 L 82	6/10/82
4681	Natural resources/appropriation	154 L 82	6/10/82
Sub 4684	Plant pests/diseases actions	153 L 82	4/1/82
4690	County road administration	145 L 82	6/10/82
4691	Tort feasons/comparative fault	100 L 82	3/31/82
Sub 4692	Motorcycle operator training	77 L 82	6/10/82
Sub 4697	IRA's Payroll deductions	107 L 82	6/10/82
4701	HMO's reserve funds/bonds	151 L 82	1/1/83
4705	Credit cards/state purchases	45 L 82 E1	7/10/82
4706	Spirit Lake memorial highway	82 L 82	3/27/82
Sub 4708	Horse racing/fees, receipts	32 L 82	3/16/82
4713	MV fund distribution formula	33 L 82	6/10/82
Sub 4716	Secretary of state, revising procedures	35 L 82	*
	*1/1/83, Sec. 39,45,46,52,61,63,201; Remainder, 7/1/82		
4717	State statutes/free copies	32 L 82 E1	7/10/82
4718	Veterinarians licensure	134 L 82	*
	*7/1/82, Sec. 2; Remainder, 6/10/82		
Sub 4728	Municipal corporations/short-term obligations	216 L 82	4/3/82
4748	Beer and wine instruction	26 L 82 E1 PV	7/10/82
4749	Unconstitutional voter provision repealed	99 L 82	6/10/82
Sub 4750	Nonresident violators compact	212 L 82	6/10/82
Sub 4775	Conviction records release	202 L 82	6/10/82
Sub 4786	Community mental health services	204 L 82	6/10/82
Sub 4824	Aquatic lands/separate chapter	21 L 82 E1	*
	*4/3/82, Secs. 176,179; Remainder, 7/1/83		
Sub 4826	Law enforcement vehicle/siren-light	101 L 82	3/31/82
4831	Shorelines/economic significance	VETOED	
Sub 4841	Winter recreation commission	27 L 82 E1	7/10/82
Sub 4846	Lake Osoyoos water control	76 L 82	6/10/82
Sub 4852	Irrigation district/delinquent assessment	102 L 82	4/15/82
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4905	Merged sewer/water districts	104 L 82	6/10/82
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5016	Inventories, tax credits	12 L 82 E2	10/1/82
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127	Requesting actions be filed in supreme court against unsound monetary policies. 1982.
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130	Notifying governor legislature is organized. 1982.
131	Reintroduction of bills introduced in prior sessions of the 47th legislature. 1982.
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46	Shellfish pots protection	14 L 82	6/10/82
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Sub 70	Fish restoration projects	26 L 82	10/1/82
2 Sub 124	Public employment	54 L 82 E1 PV	4/20/82
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Sub 135	Trees/unauthorized destruction	28 L 82	6/10/82
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375	Automotive repairs regulated	62 L 82	6/10/82
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Sub 852	Nursing homes	120 L 82	6/10/82
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Sub 855	Municipal corporation audits	206 L 82	*
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859	ECPA permit approval	179 L 82	6/10/82
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Sub 868	Federal forest funds/distribution	126 L 82	7/1/83
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Sub 931	Public works/funds release	170 L 82	6/10/82
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Sub 1165	Boards/commissions congressional districts	30 L 82 E1	7/10/82
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1245	Timber tax public lands	4 L 82 E2	8/1/82
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1248	Natural gas, public utility tax	5 L 82 E2	8/1/82
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*Secs. 1,3-5, 10/1/82; Sec. 2, 7/1/83

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—1981—

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33	Establishing joint select committee on telephone systems. 1982
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36	Calling joint session for distinguished Japanese. 1982
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49	Notifying governor that legislature is organized. 1982-E1
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3066. Senators Moore, Sellar, Jones and Bauer: Revising interest rates on certain loans.			
3069. (ENGROSSED) Senators Talmadge, Clarke, Newhouse and Wojahn (by Washington Judicial Council request): Providing for sentencing after appeals from police court.			
3073. (ENGROSSED) Senators Ridder and Metcalf: Exempting from open public meetings act portions of a meeting at which the state auditor's preliminary report is received.			
3078. (SUBSTITUTE) Judiciary Committee: Permitting pre-judgment interest.			
3087. Senators Rasmussen, Goltz, Fleming, Bauer, Gaspard, Talmadge, Talley, Williams and Peterson (by former Governor Ray request): Creating state council on aging.			
3100. (ENGROSSED) Senators Moore, Gould, Talmadge, Shinpoch, Quigg and Woody: Requiring both spouses to participate in the sale or encumbrance of a mobile home.			
3110. (SUBSTITUTE) Judiciary Committee: Providing for reduction of court congestion.			
3112. (ENGROSSED) Senators Talmadge, Hemstad, Shinpoch, Vognild and Deccio: Providing for award of expenses to prevailing parties in civil actions.		493	767
3114. (ENGROSSED) Senators Talmadge and Hayner: Modifying provisions relating to attorneys' fees. ...			
3115. (ENGROSSED) Senators Talmadge, Hemstad and Shinpoch: Authorizing district court actions on contractors' bonds.			
3121. Senators Haley and Moore: Deregulating sale of prophylactics.			
3145. Senators Hayner and Talmadge: Clarifying authority of professional service corporation and their members.			
3151. Senators Wojahn, Bauer and Lee: Making miscellaneous changes in law relating to credit unions.			
3156. (ENGROSSED) Senators Williams, Fuller, Charnley, Goltz and Zimmerman: Considering renewable energy systems in design of public buildings.			
3181. Senators Wojahn, Deccio and Sellar: Revising compensation for insurance examiners.			

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
.....	1207	.....	.....	.....	.....	.....
1207	.....	1207	SCR 148 1656	.....	.....	.....
582	.....	582	.....	.....	.....	.....
.....	* 426 St. Gov.	.....	.....	.....	.....	.....
.....	* 426 Judic.	.....	.....	.....	.....	.....
.....	* 426 Const. & Elec.	.....	.....	.....	.....	.....
.....	* 426 Judic.	.....	.....	.....	.....	.....
.....	* 426 St. Gov.	.....	.....	.....	.....	.....
512	513, 521	.....	.....	.....	.....	.....
.....	* 426 Judic.	.....	.....	.....	.....	.....
.....	* 426 Judic.	.....	.....	.....	.....	.....
767	761, 1482	767	1481	.....	.....	.....
.....	* 426 Judic.	.....	.....	.....	.....	.....
.....	409	.....	.....	.....	.....	.....
410	.....	410	SCR 148 1656	.....	.....	.....
410	.....	410	SCR 148 1656	.....	.....	.....
.....	* 424 Finan. Inst./Ins.	.....	.....	.....	.....	.....
513	1353	513, 1353	1353	1389	1455	Signed 2091 CH. 159 L. 1982
.....	* 426 Finan. Inst./Ins.	.....	.....	.....	.....	.....

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	
	1st Reading Referral	Report of Committee 2nd Reading
3182. Senators Wojahn, Deccio and Sellar: Increasing certain fees relating to insurance.		
3185. Senators Moore, Talley, Rasmussen, Wojahn, Kiskaddon, Deccio, McCaslin, Goltz, Woody and Hurley: Authorizing sale and use of DMSO as a legend drug.		
3194. Senators Vognild, Deccio and Talmadge: Implementing law relating to electrical installations with reference to medical devices and equipment.		
3204. (SUBSTITUTE) Committee on Natural Resources: Authorizing formation of fishing associations.		
3233. (ENGROSSED) Senators von Reichbauer and Guess (by State Patrol request): Revising vehicle accident reporting procedure.		
3237. (SUBSTITUTE) Committee on Higher Education: Authorizing university tuition and fee exemptions for students receiving athletic scholarships.		
3240. Senators McDermott and Gaspard: Modifying certain laws relating to course instruction in common schools.		
3241. (ENGROSSED) Senator Gaspard: Implementing law relating to publication of school code.		
3242. (ENGROSSED) Senators Craswell and Gaspard: Making miscellaneous changes in law relating to education.		
3244. (ENGROSSED) Senators Wojahn, Deccio, Bauer, Sellar, Hughes and Talmadge: Providing property damage coverage for hit-and-run or underinsured motor vehicle insurance.		
3246. Senators Haley, Shinpoch, Kiskaddon and Hemstad: Providing for joint custody.		
3249. (ENGROSSED SUBSTITUTE) Committee on Constitutions and Elections: Revising the public disclosure law.		
3252. Senators Charnley, Gallagher, Ridder and Hughes: Requiring approval and use of child safety restraints in vehicles.		
3256. Senators Pullen, Vognild, Hansen and Benitz: Preempting local regulation of firearms.		
3257. Senators Woody, Fuller and Gould: Making technical changes in voter registration law.		
3258. (ENGROSSED SUBSTITUTE) Committee on Natural Resources: Authorizing fisheries enforcement officers to enforce all state laws.		
3263. Senators Woody, Haley, Bottiger, Wilson and Charnley: Establishing redistricting procedures.		

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
	* 426 Finan. Inst./Ins.					
	* 424 Soc. & Health					
	444					
	* 426, Nat'l Resources					
411		411	1277	1277	1352	Signed 1883 CH. 52 L. 1982
	* 426 Higher Educ.					
514		514	SCR 148 1656			
	* 426 Educ.					
411, 1667	1544, 1667, 1689, 1728	411, 1667	1548, SCR 148 1656, 1683,1727			
	* 426 Finan. Inst./Ins.					
	* 424 Judic.					
522		522	1276	1372	1408	Signed 2090 CH. 147 L. 1982
	444					
	* 424 Judic.					
	* 424 Loc. Govt.					
	* 426 Nat'l. Res.					
	* 424 St. Govt.					

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of	
	1st Reading Referral	Committee	2nd Reading
3277. Senators Williams, Bottiger and Charnley: Providing for an inventory and energy efficiency and safety audit of existing school facilities.
3287. Senators Williams, Fuller, Moore, Bauer, Hemstad and McCaslin: Providing for conservation and small scale renewable energy development projects.
3290. Senators Bauer, Haley, Ridder, Gould and Hughes: Modifying the teachers' retirement system.
3292. Senators Vognild, Hansen, Gaspard, Quigg, Talmadge and Gallagher (by Senate Oversight Committee on Arson request): Defining the crime of refusing to report a fire.	580
3296. Senators Vognild, Gaspard, Hansen, Talley, Peterson, Quigg, Rasmussen, Pullen, and Gallagher (by Senate Oversight Committee on Arson request): Establishing a state fire protection board.
3297. (ENGROSSED) Senators Vognild, Gaspard, Hansen, Quigg, and Gallagher (by Senate Oversight Committee on Arson request): Permitting anti-arson requirements to be met for issuing or continuing fire insurance policies.
3301. (ENGROSSED) Senators Wilson and Deccio: Permitting counties to set rates at which fines of county prisoners are reduced.
3308. (SUBSTITUTE) Committee on Local Government: Limiting amount of areas zoned residential which may exclude mobile homes.
3310. (ENGROSSED) Senators Gould, Williams and Fuller: Confirming rules adopted as standards for energy use in buildings.
3318. (ENGROSSED) Senators Patterson, Wilson, Fuller and Charnley: Authorizing use of hotel/motel tax receipts for other capital purposes.
3328. Senators Fleming, Jones, Bottiger, Hayner, Talley, Peterson, Sellar, Shimpoch and Clarke: Creating legislative facilities committee to provide legislative control over legislative buildings.
3328. (SUBSTITUTE) Committee on State Government: Creating legislative facilities committee to provide legislative control over legislative buildings.	652
3332. Senators Talley and Sellar: Revising laws regulating physical therapy.
3332. (ENGROSSED SUBSTITUTE) Committee on Social and Health Services: Revising laws regulating physical therapy.	583, 589
3336. (ENGROSSED) Senator Gaspard (by Superintendent of Public Instruction request): Implementing law relating to certification of personnel employed in schools.

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
.....	* 424 Energy & Utilities	.....	.....	.....	.....	.....
.....	* 425 Energy & Utilities	.....	.....	.....	.....	.....
.....	* 425 Ways & Means	.....	.....	.....	.....	.....
581	.....	581	SCR 148 1656	.....	.....	.....
.....	* 425 Finan. Inst./Ins.	.....	.....	.....	.....	.....
412	1413	412, 1413	1410	1604	1613	Signed 2044 CH. 110 L. 1982
412	.....	412	SCR 148 1656	.....	.....	.....
.....	* 426 Loc. Govt.	.....	.....	.....	.....	.....
452, 1845	.....	453, 1847	SCR 148 1656, HCR 53 2647	.....	.....	.....
455	456	456	SCR 148 1656	.....	.....	.....
.....	652	.....	.....	.....	.....	.....
652	.....	653	SCR 148 1656	.....	.....	.....
.....
589	584	590	SCR 148 1656	.....	.....	.....
.....	* 426 Education	.....	.....	.....	.....	.....

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of	2nd Reading
	1st Reading Referral	Committee	
3341. Senators Vognild, Sellar and Talley: Revising fireworks laws.
3346. Senators Conner, Moore, Bauer, Quigg and Pullen: Applying certain laws on insurance to health care contracts.
3347. (SUBSTITUTE) Committee on Higher Education: Implementing law relating to waivers by institutions of higher education.
3361. Senators Fleming and Jones: Increasing maximum cost of port district small works projects.
3361. (SUBSTITUTE) Committee on Local Government: Increasing maximum cost of port district small works projects.	960
3363. (SUBSTITUTE) Committee on Agriculture: Providing for payment by irrigation districts of defense and judgments of employees acting in official capacity.
3366. Senators Goltz and Sellar (by State Fire Marshal request): Creating a fraud and arson bureau.	699	.....
3366. (SECOND SUBSTITUTE) Committee on Local Government: Revising laws relating to investigation of suspected arson.	1047
3370. Senators Hurley, Deccio, Bottiger and Hughes: Providing for rights of infants.
3373. Senators Moore and Haley: Revising laws regulating veterinarians.
3379. Senator Woody: Regulating taxation of social card games.
3380. (SUBSTITUTE) Committee on Agriculture: Implementing law relating to cooperative associations and voting by members thereof.
3381. (SUBSTITUTE) Committee on Transportation: Imposing motorcycle safety programs.
3384. (ENGROSSED SUBSTITUTE) Committee on Ways Means: Providing for post-retirement adjustments for public retirement systems.
3385. (ENGROSSED SUBSTITUTE) Committee on Natural Resources: Authorizing private salmon release-recapture facilities.
3389. Senators Goltz, Haley and Woody: Authorizing youth service corps funds to be used to match federal funds and changing age requirement for youth service corps enrollees.
3394. Senators Goltz, Bottiger and Quigg: Increasing tax credit for cogeneration facilities.	1678
3398. Senator McDermott: Relating to revenue and taxation.	356	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
.....	* 425 St. Govt.	.....	.....	.....	.....	.....
.....	* 425 Finan. Inst./Ins.	.....	.....	.....	.....	.....
.....	* 426 Higher Ed.	.....	.....	.....	.....	.....
.....	960	.....	.....	.....	.....	.....
960	1414	960, 1414	1413	1604	1613	Signed 2044 CH. 92 L. 1982
413	.....	413	SCR 148 1656	.....	.....	.....
.....	* 425 Loc. Govt., 1047	.....	.....	.....	.....	.....
1047	916-917, 1047	.....	.....	.....	.....	.....
.....	* 425 Soc. & Health	.....	.....	.....	.....	.....
.....	* 426 St. Govt.	.....	.....	.....	.....	.....
.....	* 425 Loc. Govt.	.....	.....	.....	.....	.....
.....	* 426 Agri.	.....	.....	.....	.....	.....
.....	* 426 Transp.	.....	.....	.....	.....	.....
.....	* 426 Transp.	.....	.....	.....	.....	.....
.....	* 426 Nat'l. Res.	.....	.....	.....	.....	.....
.....	* 426 Parks & Energy	.....	.....	.....	.....	.....
458, 1678, 1680	.....	458, 1680, 1783	1520, SCR 148 1656, 1782	1789	1843	Signed 2004 CH. 2 L. 1982 E1
.....	356, 357	.....	.....	.....	.....	.....

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of	
	1st Reading Referral	Committee	2nd Reading
3398. (SUBSTITUTE) Committee on Ways and Means: Providing a discount on property taxes for prompt payment.			357-358, 360
3402. Senators Hayner, Jones, Lee, Gould and Quigg (by Department of Revenue request): Pertaining to taxation of business inventories.		1544	
3405. Senators Jones, Gallagher, Hayner and Gould (by Department of Revenue request): Establishing fact finding procedures under educational employment relations act.			611
3408. (ENGROSSED SUBSTITUTE) Committee on Ways and Means: Providing for wine and wine grape research and instruction programs.			
3424. Senator Moore (by Department of Social and Health Services request): Exempting prisoners transferred outside state for personal security from notice of transfer requirement.			
3425. Senator Moore (by Department of Social and Health Services request): Defining milling of uranium and thorium.		529	830
3442. (SUBSTITUTE) Committee on Natural Resources: Creating a shellfish enforcement and enhancement fund.			
3446. (REENGROSSED) Senators Lee and Zimmerman: Revising laws relating to boundary review boards. .			509, 569
3449. Senators Hayner and Gaspard: Abolishing certain accounts for high school districts used for moneys from nonhigh districts.			
3459. Senators Talmadge, Shinpoch, Kiskaddon, Bottiger, Wojahn, Bauer, Talley, McDermott, Vognick, Hughes, Woody, Conner, Fleming, Rasmussen, Hurley, Ridder and Gaspard: Modifying provisions relating to enforcement of judgments.			
3466. Senators Peterson, Shinpoch and Benitz: Providing for reimbursement of resource management cost account.			
3495. Senators Wilson, Moore and Sellar: Extending validity of certificates of emergency medical technicians. ...			708
3496. Senators Vognick, Quigg and Shinpoch: Denying industrial insurance payments to persons receiving disability allowance from employer.			
3501. Senators Williams, Gould, Hemstad, Lysen and Conner: Requiring legislative approval before operating agency can qualify as such prerequisite to construction of thermal power plant with capacity in excess of 750 megawatts.			

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
357, 360	.....	361	377	378	378	2766 VETOED
.....
698, 1694	613, 1694, 1695, 1739, 1911	698, 1695	SCR 148 1656	.....	.....	.....
.....	* 426 Agri.	.....	.....	.....	.....	.....
.....	* 426, Soc. & Health	.....	.....	.....	.....	.....
830	.....	830	1276	1372	1408	Signed 2004 CH. 78 L. 1982
.....	* 426 Nat'l. Res.	.....	.....	.....	.....	.....
509, 510, 570	509, 512 569, 1357	570, 1357	1353	1453	1454	Signed 2766 CH. 220 L. 1982 P.V.
.....	* 426 Education	.....	.....	.....	.....	.....
.....	* 425 Judiciary	.....	.....	.....	.....	.....
.....	* 425 Ways & Means	.....	.....	.....	.....	.....
709	.....	709	1277	1277	1352	Signed 1883 CH. 53 L. 1982
.....	* 425 Finan. Inst./Ins.	.....	.....	.....	.....	.....
.....	* 425 Energy & Utilities	.....	.....	.....	.....	.....

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of	2nd Reading
	1st Reading Referral	Committee	
3502. Senators Charnley, Williams and Lysen: Implementing law relating to publication of rate impacts due to obligations of joint operating agencies.
3512. Senator Lee: Providing for distribution of leasehold excise tax revenues to fire protection districts.
3512. (SUBSTITUTE) Committee on Local Government: Providing for a distribution of leasehold excise tax revenues to fire protection districts.	571
3518. Senators McCaslin, Hansen, Moore, Deccio, Patterson, Benitz, Metcalf, Quigg, Vognild and von Reichbauer: Excluding freeway speeding violations between 55 and 70 mph from a driver's insurance abstract.
3518. (SUBSTITUTE) Committee on Transportation: Excluding freeway speeding violations between 55 and 70 mph from a driver's insurance abstract.	538
3522. (ENGROSSED SUBSTITUTE) Committee on Agriculture: Providing for preservation of agricultural land.
3526. Senators Woody, Quigg, Gallagher and Vognild: Modifying restrictions on political activities of public employees.
3530. Senators Rasmussen and Gould (by State Treasurer request): Requiring further public disclosures for state treasurer and candidates for state treasurer.
3534. (SUBSTITUTE) Committee on Local Government: Revising laws relating to sewer and water districts.
3538. (SUBSTITUTE) Committee on Ways and Means: Modifying provisions relating to chore services.
3539. (SUBSTITUTE) Committee on Ways and Means: Authorizing temporary elimination of general assistance to unemployed employable persons.
3541. Senators Gaspard, Gould, Talmadge and Kiskaddon: Authorizing administration of oral medication by common school and private school personnel.	587	.....
3541. (SUBSTITUTE) Committee on Education: Authorizing administration of oral medication by common school and private school personnel.
3541. (SECOND SUBSTITUTE) Committee on Education: Authorizing administration of oral medication by common school and private school personnel.	767
3545. (SUBSTITUTE) Committee on Agriculture: Providing for registration of permanent identification symbols on horses.
3549. Senator Metcalf: Impounding vehicles driven by unlicensed drivers.
3549. (SUBSTITUTE) Committee on Transportation: Impounding vehicles driven by unlicensed drivers.	583, 590

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
	* 425 Energy & Utilities	.....	.....	.....	.....	.....
	571	.....	.....	.....	.....	.....
571	.....	572	SCR 148 1656	.....	.....	.....
			§			
	538	.....	.....	.....	.....	.....
538	.....	539	SCR 148 1656	.....	.....	.....
	* 426 Agri.	.....	.....	.....	.....	.....
	* 425 St. Govt.	.....	.....	.....	.....	.....
	* 426 Const. & Elections	.....	.....	.....	.....	.....
	* 426 Loc. Govt.	.....	.....	.....	.....	.....
	* 426 Ways & Means	.....	.....	.....	.....	.....
	* 426 Ways & Means	.....	.....	.....	.....	.....
	442, 761	.....	.....	.....	.....	.....
	* 426, Soc. & Health, 767	.....	.....	.....	.....	.....
767	1357	767, 1357	1357	1389	1455	Signed 2091 CH. 195 L. 1982
	* 426 Agri.	.....	.....	.....	.....	.....
	582	.....	.....	.....	.....	.....
583, 590	583, 590	591	1046	1047	1057	Signed 1275 CH. 8 L. 1982

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction 1st Reading Referral	Report of Committee 2nd Reading
3557. (SUBSTITUTE) Committee on Natural Resources: Requiring a salmon management plan.		587 755
3562. Senator Lee: Exempting cemetery district commissioners from public disclosure requirements of chapter 42.17 RCW.		
3565. (ENGROSSED) Senators Quigg, Fleming and Peterson: Modifying requirements for harbor area leases. ...		505
3567. Senators Craswell, Conner, Quigg and Gallagher: Fixing rate of increase for harbor area rental fees. ...		968
3578. Senators Goltz, Conner, Lee, Gallagher, Talley and Quigg: Modifying provisions relating to state aquatic lands.		
3582. (SUBSTITUTE) Committee on Social and Health Services: Providing for reports of abuse of dependent elderly persons.		
3587. Senator Gaspard: Implementing law relating to kindergartens.		460 768
3588. Senators Gaspard, Wojahn, Vognild and McDermott: Seeking reduction of paperwork in administration of common schools.		
3592. Senators Craswell and Woody: Permitting interest payments on county revenue bonds during construction of facilities.		
3593. Senators Craswell, Bottiger and Guess: Permitting counties to have sewer, water, or drainage facilities constructed by private developers.		
3594. Senators Craswell and Bottiger: Modifying provisions for collection of LID assessments.		
3603. Senators Moore, Gould and Goltz: Regulating audiologists.		
3609. Senators Bauer, Haley, Gaspard, McDermott, Bluechel, Rasmussen, Ridder, Lee, Zimmerman, Fleming and Hughes: Establishing a temporary committee on educational policies, structure and management, and setting forth its duties, and providing for its abolishment. .		524, 1699, 1701
3612. Senators Hurley, Zimmerman, Goltz and Fuller: Establishing a state parks campsite reservation and information system.		
3617. Senator Metcalf: Implementing law relating to use of associated student body funds.		587
3617. (SUBSTITUTE) Committee on Education: Implementing law relating to use of associated student body funds.		799
3635. Senators Conner, Gould, Bauer, Patterson and Goltz: Establishing a Washington state scholar's program..		

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
756	* 426 Nat'l. Res.	756	SCR 148 1656	.....	.....	.....
.....	* 426 Const. & Elections	.....	.....	.....	.....	.....
505, 506	505	507	SCR 148 1656	.....	.....	.....
.....	969	.....	.....	.....	.....	.....
.....	* 425 Nat'l. Res.	.....	.....	.....	.....	.....
413	.....	413	SCR 148 1656	.....	.....	.....
768	* 425 Education, 762	768	1454	1523	1546	Signed 2091 CH. 158 L. 1982
.....	* 425 Education	.....	.....	.....	.....	.....
.....	* 426 Loc. Govt.	.....	.....	.....	.....	.....
.....	* 425 Loc. Govt.	.....	.....	.....	.....	.....
.....	*425 Loc. Govt.	.....	.....	.....	.....	.....
.....	* 425 St. Govt.	.....	.....	.....	.....	.....
527, 1698, 1702	1694, 1699, 1700	528, 1702	SCR 148 1656, 2289	2289	2290	Signed 2516 CH. 33 L. 1982 E1
.....	* 426 Ways & Means	.....	.....	.....	.....	.....
.....	* 426 Educ., 799	.....	.....	.....	.....	.....
799	.....	800	1523	1604	1613	Signed 2293 CH. 231 L. 1982
.....	* 425 Higher Ed.	.....	.....	.....	.....	.....

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	
	1st Reading Referral	Report of Committee 2nd Reading
3645. (SUBSTITUTE) Committee on Constitutions and Elections: Revising form and size requirements for initiative and referendum petitions.
3647. Senator Rasmussen: Transferring some functions of state planning and community affairs agency to office of financial management.
3648. Senator Rasmussen: Continuing state board on geographic names.
3670. Senator Peterson: Relating to transportation.	1275
3679. Senator Sellar: Relating to appropriations.	722
3679. (SUBSTITUTE) Committee on Financial Institutions and Insurance: Permitting savings banks to pay interest and dividends from their guarantee funds under certain conditions.	769
3698. (ENGROSSED SUBSTITUTE) Committee on Transportation: Adopting the transportation budget.
3715. Senators Talmadge and Clarke: Modifying civil procedure.
3717. Senators Peterson and Goltz: Authorizing criminal justice training for law enforcement personnel of recognized Indian tribes.
3719. Senators Zimmerman, Bauer, Talley and Benitz: Authorizing bonds for acquisition of scenically fragile lands.
3719. (SECOND SUBSTITUTE) Committee on Ways and Means: Authorizing bonds for acquisition of scenically fragile lands.	522
3724. (ENGROSSED) Senators Scott, Ridder, Gould, von Reichbauer and Woody: Adding requirement for education on drug effects to school curriculum.
3725. (SUBSTITUTE) Committee on Natural Resources: Modifying state environmental policy act.
3728. (SUBSTITUTE) Committee on Natural Resources: Modifying provisions relating to forest practices.
3737. (ENGROSSED) Senators Lee, Goltz and Haley: Modifying administration of winter recreation activities.	453
3739. Senators Craswell and Bottiger: Clarifying existing law on county sewer, water, and drainage facilities.
3743. (SUBSTITUTE) Committee on Ways and Means: Modifying judicial retirement for disability statutes.
3750. Senators Gaspard, Hemstad, McDermott, Craswell, Deccio and Hughes: Authorizing transportation of private school students in public school buses.
3751. (SUBSTITUTE) Committee on Natural Resources: Transferring licensing functions of departments of fisheries and game to department of licensing.

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
.....	* 426 Const. & Elections	.....	.....	.....	.....	.....
.....	* 425 Nat'l. Res.	.....	.....	.....	.....	.....
.....	* 425 St. Govt.	.....	.....	.....	.....	.....
.....	762, 768	.....	.....	.....	.....	.....
769	.....	769	1046	1047	1058	Signed 1229 CH. 5 L. 1982
.....	* 426 Transp.	.....	.....	.....	.....	.....
.....	* 426 Judiciary	.....	.....	.....	.....	.....
.....	* 426 Judiciary	.....	.....	.....	.....	.....
.....	522	.....	.....	.....	.....	.....
522	523	523	.....	.....	.....	.....
455	.....	455	SCR 148 1656	.....	.....	.....
.....	* 426 Nat'l. Res.	.....	.....	.....	.....	.....
.....	* 426 Nat'l. Res.	.....	.....	.....	.....	.....
453, 454	453	454	1046	1047	1058	Signed 1198 CH. 11 L. 1982
.....	* 425 Loc. Govt.	.....	.....	.....	.....	.....
414	1159, 1167	414, 1167	1159, 1166	1193	1194	Signed 1472 CH. 18 L. 1982
.....	* 426 Educ.	.....	.....	.....	.....	.....
.....	* 426 Nat'l. Res.	.....	.....	.....	.....	.....

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of	
	1st Reading Referral	Committee	2nd Reading
3753. Senators Gaspard and Hemstad: Implementing law relating to disposition of school surplus property and priority of certain buyers thereof.....
3755. Senators Guess, Benitz and Quigg: Modifying definition of activities covered by industrial insurance.....	764	.....
3757. Senators Bauer, Gaspard and Zimmerman: Permitting educational service districts to act as self-insurers.
3775. Senators Talmadge, Clarke and Moore (by Department of Licensing request): Regulating real estate time-sharing.	722	.....
3775. (SUBSTITUTE) Judiciary Committee: Regulating real estate time-sharing.	769
3779. Senators Williams, Gould, Charnley, Hansen, Newhouse, Benitz and Zimmerman (by Washington State Energy Office request): Providing for distribution of funds received under geothermal steam act.
3783. Senators Craswell, Jones and Scott: Authorizing physical revaluation of property every six years if statistical adjustments are made.	1149	.....
3783. (SUBSTITUTE) Committee on Ways and Means: Authorizing physical revaluation of property every six years if statistical adjustments are made.	2499, 2542	1732, 1777
3795. Senator Sellar: Requiring payment of premiums for health care services to the employer during labor disputes.....	951
3821. Senators Wojahn, Sellar and Bauer: Providing treasurer for state board for community college education and setting forth duties thereof.
3823. Senators Hurley, Shinpoch and Lee: Authorizing use of ORV moneys for hiking trails and areas.....	535, 570
3824. (SUBSTITUTE) Committee on Parks and Ecology: Authorizing adjacent land owners to own accretion caused by volcanic eruption.
3844. (SUBSTITUTE) Committee on Constitutions and Elections: Prohibiting legislators from accepting campaign contributions during legislative session.....
3847. Senators Lee, Haley and Woody: Revising laws relating to uniform allowance of organized militia.	460	689
3848. Senators Goltz and Gould: Implementing law relating to school district excess levies.
3864. Senators Goltz, Sellar, Bauer and Charnley: Denying legislative salaries to legislators convicted of a felony.	955
3881. Senators Goltz and Charnley: Implementing law relating to salary recommendations of the council for post-secondary education.

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
.....	* 425 Educ.	.....	.....	.....	.....	.....
.....	* 425 Educ.	.....	.....	.....	.....	.....
.....	* 425, Judic. 762, 769	.....	.....	.....	.....	.....
769, 1818	.....	769, 1818	SCR 148 1656, HCR 53 2647	.....	.....	.....
.....	* 425 Ways & Means	.....	.....	.....	.....	.....
.....	1694, 1731	.....	.....	.....	.....	.....
1781	1732, 2039, 2320, 2432, 2504, 2548	1781, 2548	2034, 2320, 2432, 2499, 2542	2553	2554	Signed 2771 CH. 46 L. 1982 E1
951	1415	951, 1416	1415	1604	1613	Signed 2091 CH. 149 L. 1982
.....	* 425, Ways & Means	.....	.....	.....	.....	.....
570	536	571	SCR 148 1656	.....	.....	.....
.....	* 426, Parks & Ecology	.....	.....	.....	.....	.....
.....	* 426, Const. & Elections	.....	.....	.....	.....	.....
689	1358	689, 1358	1358	1453	1454	Signed 2044 CH. 93 L. 1982
.....	* 425, Ways & Means	.....	.....	.....	.....	.....
955	.....	956	SCR 148 1656	.....	.....	.....
.....	* 425, Ways & Means	.....	.....	.....	.....	.....

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of	2nd Reading
	1st Reading Referral	Committee	
3884. Senators Goltz: Changing mountain sheep tag fee.
3895. (ENGROSSED SUBSTITUTE) Committee on Constitutions and Elections: Clarifying laws regulating initiatives and referendums.	513, 578
3898. (ENGROSSED) Senators Rasmussen and Jones (by Utilities and Transportation Commission request): Changing name of utilities and transportation commission to public service commission.	444, 520
3902. Senators Ridder, Vognild, Jones and Newhouse: Enacting the workers' compensation vocational rehabilitation reform act of 1981.
3912. Senators Gaspard, McDermott and Talmadge: Implementing law relating to handicapped students.
3913. Senators Talmadge, Hemstad and Williams (by Attorney General request): Authorizing presuit depositions and interrogatories in investigation of unfair business practices.	493	.....
3913. (SUBSTITUTE) Judiciary Committee: Authorizing presuit depositions and interrogatories in investigation of unfair business practices.	803
3915. (ENGROSSED) Senators Lee, Hurley and Vognild: Establishing the recreation guide revolving fund.	1703
3916. Senators Guigg and Goltz: Requiring modification of shoreline classifications to reflect changed circumstances.	941
3920. Senators Wojahn, Fleming and Ridder: Permitting local ordinances against discrimination not in conflict with state law.
3921. Senators Goltz, Gallagher, Wilson and Sellar: Extending scope of legislative ethics law and establishing a statute of limitations for complaints.	732	982
3925. Senators Wojahn, Clarke and Bauer (by Department of General Administration request): Revising laws relating to interest paid on certain accounts of financial institutions.
3926. (ENGROSSED) Senators Shinpoch, Benitz and Goltz: Implementing law relating to community colleges.
3927. (SUBSTITUTE) Committee on Transportation: Funding installation of railroad crossing protective devices.
3929. (ENGROSSED SUBSTITUTE) Committee on Higher Education: Implementing law relating to rules and regulations governing vocational-technical institutes.
3930. Senators Lee, Scott and Gallagher: Repealing provisions relating to game department property taxes.

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
.....	444	.....	.....	.....	.....	.....
513, 578	513	578	SCR 148 1656	.....	.....	.....
444, 521	444	521	SCR 148 1656	.....	.....	.....
.....	568	.....	.....	.....	.....	.....
.....	* 425, Ways & Means	.....	.....	.....	.....	.....
.....	* 425 Judiciary, 803	.....	.....	.....	.....	.....
803	.....	803	1523 SCR 148 1656,	1523	1546	Signed 2090 CH. 137 L. 1982
985, 1702, 1703	1694, 1703	985, 1703	HCR 53 2647	.....	.....	.....
942, 1667	1667, 1737	943, 1668	1735, 1972	1991	1992	Signed 2045 CH. 13 L. 1982 E1
.....	444	.....	.....	.....	.....	.....
982	* 425 St. Govt., 762	983	SCR 148 1656	.....	.....	.....
.....	* 425 Finan. Inst./Ins.	.....	.....	.....	.....	.....
.....	* 426 Higher Ed.	.....	.....	.....	.....	.....
415	1359	415, 1359	1359	1389	1455	Signed 2044 CH. 94 L. 1982
.....	* 426 Higher Ed.	.....	.....	.....	.....	.....
457	.....	457	SCR 148 1656	.....	.....	.....

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of	
	1st Reading Referral	Committee	2nd Reading
3932. Senator Woody: Prorating election costs to state when state officers or measures are on ballot.
3944. Senator Guess: Modifying labor dispute disqualifications for unemployment compensation benefits.	788	925, 935
3946. (ENGROSSED) Senator Talley: Modifying aircraft fuel excise tax.	460	.....
3946. (SUBSTITUTE) Committee on Transportation: Modifying aircraft fuel excise tax.	2008 2014	729, 1677
3958. Senators Talmadge, Shipoch and Hemstad: Protecting communications between sexual assault victims and counselors.
3959. Senator Voguild: Modifying civil liability for handling of hazardous materials.
3965. (SUBSTITUTE) Committee on Natural Resources: Providing funding for fish hatchery expenditures of the department of fisheries.
3993. (SUBSTITUTE) Committee on Transportation: Implementing the international registration plan.	464
4014. Senators Ridder and Charnley: Authorizing port districts to establish regulations for the use and rental of moorage facilities.	908	.....
4025. Senators Jones and Fleming: Vacating Smith's Cove waterway.	582
4038. Senator Hayner: Exempting certain transactions from deed conveyance tax.	732	.....
4044. Senator Hansen: Relating to agriculture.
4046. Senator Hansen: Relating to livestock.	908	.....
4046. (SUBSTITUTE) Committee on Agriculture: Modifying testing procedures for brucellosis adult vaccinated cattle.	1047
4061. Senator Goltz: Relating to educational services registration act.	1010	.....
4061. (SUBSTITUTE) Committee on Higher Education: Exempting workshops or seminars of not more than three days and not offered for academic credit from educational services registration act.	1160
4064. Senators Lee and Talley: Providing for annexation of "island" within sewer and water districts.	579
4112. Senator Craswell (by Office of Financial Management request): Creating the natural resources account.	770

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
.....	* 425, Ways & Means	.....	.....	.....	.....	.....
937	788-789, 926-927	938	1523	1604	1613	2767 VETOED
.....	* 427 Transp., 729	.....	.....	.....	.....	.....
729, 1677, 1678	1409, 1676, 1677, 1727, 1973, 2009, 2014	729, 1679, 2015	1409, SCR 148, 1656, 1727, 1973, 2008, 2014	2028	2029	Signed 2319 CH. 25 L. 1982 E1
.....	* 425 Judiciary	.....	.....	.....	.....	.....
.....	* 425 Judiciary	.....	.....	.....	.....	.....
506	507	509	SCR 148 1656	.....	.....	.....
464	.....	464	SCR 148 1656	.....	.....	.....
.....
582, 1668	1410, 1667, 1690	582, 1668, 1691	1409, SCR 148, 1657, 1690	1704	1758	Signed 1997 CH. 1 L. 1982 E1
.....	* 425 Agri.	.....	.....	.....	.....	.....
.....	1047	.....	.....	.....	.....	.....
1047	.....	1048	1276	1372	1408	Signed 2090 CH. 131 L. 1982
.....	684, 1160	.....	.....	.....	.....	.....
1160	.....	1160	SCR 148 1656	.....	.....	.....
579	.....	579	1276	1372	1408	Signed 2091 CH. 146 L. 1982
770	762	770	SCR 148 1656	.....	.....	.....

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of Committee	2nd Reading
	1st Reading Referral		
4113. Senators Quigg, Gaspard and Conner: Updating references to the state building code.	709, 751
4115. Senators Sellar and Wojahn: Revising laws relating to international banking facilities.	435	.....
4115. (SUBSTITUTE) Committee on Financial Institutions and Insurance: Revising laws relating to international banking facilities.	649
4119. Senators Zimmerman, Fleming, Patterson and Bauer: Authorizing tax increment obligations.
4133. Senators Quigg, Ridder and Sellar (by Governor Spellman request): Modifying adjustments in compensation or death benefits payable under the industrial insurance system.	653, 678
4136. Senator Sellar: Establishing procedures by which certain property owners may withdraw from irrigation districts.
4136. (SUBSTITUTE) Committee on Agriculture: Establishing procedures by which certain property owners may withdraw from irrigation districts.	708
4153. Senator Pullen: Relating to crimes and punishments.	746	.....
4153. (SUBSTITUTE) Judiciary Committee: Permitting persons convicted of DWI or refusing a Breathalyzer test to get an occupational driver's license.	940
4163. Senator Gallagher: Relating to natural resources.
4163. (SUBSTITUTE) Committee on Natural Resources: Revising limitations on lease of state lands for agricultural purposes.	749
4164. Senator Gallagher: Relating to natural resources.	1093	.....
4199. Senators Craswell, Gallagher, Gould and Moore: Establishing the Frances Haddon Morgan Children's Center as a state residential school.
4200. Senators Metcalf, Rasmussen and Deccio (by Department of General Administration request): Revising law on public works.	764	.....
4200. (SUBSTITUTE) Committee on State Government: Revising law on public works.	1136
4201. Senator Clarke: Regulating valuation of insurance and nonforfeiture of life insurance.	541	.....

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
753	710	753	SCR 148 1656	.....	.....	.....
.....	.....	* 425 Finan. Inst./Ins., 649	.....	.....	.....	Signed 2044 CH. 95 L. 1982
649	1416	651, 1416	1416	1604	1613	.....
.....	762, 984	.....	.....	.....	.....	Signed 2293 CH. 20 L. 1982 E1
947, 1696	656, 681, 1694, 1997	947, 1696, 1997	SCR 148 1656, 1997	2002	2005	.....
.....	708	.....	.....	.....	.....	.....
708	.....	708	SCR 148 1656	.....	.....	.....
.....	940	.....	.....	.....	.....	.....
940, 1668	1556, 1557, 1667, 1729, 1759	940, 1669	1554, SCR 148, 1657, 1728, 1759	.....	.....	.....
.....	749	.....	.....	.....	.....	Signed 1883 CH. 54 L. 1982
749	.....	750	1277	1372	1408	.....
.....	.....	.....	.....	.....	.....	Signed 2004 CH. 89 L. 1982
415	.....	415	1454	1604	1613	.....
.....	1136	.....	.....	.....	.....	.....
1138	1642	1138, 1642	1639	1652	1652	Signed 2044 CH. 98 L. 1982
.....	* 427 Finan. Inst./Ins., 831	.....	.....	.....	.....	.....

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction 1st Reading Referral	Report of Committee	2nd Reading
4201. (SUBSTITUTE) Committee on Financial Institutions and Insurance: Regulating valuation of insurance and nonforfeiture of life insurance.			831
4216. Senator Quigg: Relating to unemployment compensation.		1757	
4216. (SUBSTITUTE) Committee on Commerce and Labor: Modifying provisions relating to unemployment compensation.			1785
4238. Senator Kiskaddon: Relating to education.		789	
4250. Senator Lee: Relating to revenue and taxation			2434
4264. Senator Scott: Relating to appropriations.			
4264. (SUBSTITUTE) Committee on Ways and Means: Modifying appropriations for the 1981-83 fiscal biennium.			1231
4265. Senator Scott: Relating to budget and accounting. .		2039	
4270. Senators Zimmerman and Wilson: Relating to local government.			
4271. Senator Zimmerman: Relating to local government.			
4285. Senator Deccio: Relating to social and health services.		1221	
4285. (SUBSTITUTE) Committee on Social and Health Services: Modifying provisions relating to social and health services.			1732, 1739
4305. Senators Hemstad and Haley: Providing for parking for disabled persons.			
4307. Senators Guess and Hansen: Modifying civil service provisions relating to state park rangers.			592
4313. Senators Fuller and Conner: Authorizing increases in the compensation paid members of the youth development and conservation corps.			536
4315. (SUBSTITUTE) Committee on Energy and Utilities: Extending powers of joint operating agencies.			
4329. Senators Clarke and Zimmerman: Authorizing municipal corporations to establish lines of credit. .			770
4339. Senators Guess, Hemstad, Lee, Bluechel and Charnley: Modifying laws on use of bicycles.			
4354. Senator Lee: Providing choices for personnel or civil service system for employees of combined city and county health departments.			984

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
831, 1669	1557, 1667, 1763	831, 1670, 1764	1557, SCR 148, 1657, 1763	1776	1843	Signed 2004 CH. 9 L. 1982 E1
.....	1785	.....	.....	.....	.....	.....
1786	2084, 2089	1786, 2085	2083	2090	2095	Signed 2293 CH. 18 L. 1982 E1
.....
2451	2393, 2451, 2572	2451, 2573	2554	2575	2587	Signed 2767 CH. 35 L. 1982 E1 P.V.
.....	1231	.....	.....	.....	.....	.....
1274	1312, 1313, 1326, 1694, 1911	1312	.....	.....	.....	.....
.....	* 425	.....	.....	.....	.....	.....
.....	Loc. Govt.	.....	.....	.....	.....	.....
.....	* 425	.....	.....	.....	.....	.....
.....	Loc. Govt.	.....	.....	.....	.....	.....
.....	1694, 1732	.....	.....	.....	.....	.....
1741	1733, 1999	1741, 1999	1999	2002	2005	Signed 2768 CH. 19 L. 1982 E1 P.V.
.....	721	.....	.....	.....	.....	.....
593	.....	593	1277	1386	1408	Signed 2004 CH. 79 L. 1982
537	.....	537	1277	1372	1408	Signed 2002 CH. 70 L. 1982
.....	947	.....	.....	.....	.....	.....
770	762	771	SCR 148, 1656	.....	.....	.....
.....	444	.....	.....	.....	.....	.....
984	762	984	1388	1453	1454	Signed 2293 CH. 203 L. 1982

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of	
	1st Reading Referral	Committee	2nd Reading
4364. Senator Rasmussen: Authorizing state and local government agencies to accept credit cards in payment of taxes, fees, and fines.	6	.....	.....
4365. Senators Sellar and Hurley: Modifying licensing requirements for podiatrists.	6	.....	.....
4366. Senators Rasmussen and Craswell: Modifying penalties for unlawful issuance of checks or drafts.	7	732	949
4367. Senators Quigg, Talley and Gallagher: Relating to forest land.	36	.....	.....
4368. Senator Scott: Relating to revenue and taxation.	36	1457	2162
4369. Senator Scott: Relating to appropriations.	36	1782	.....
4369. (SUBSTITUTE) Committee on Ways and Means: Modifying appropriations for 1981-83 fiscal biennium. ....	.....	2097, 2587	1788
4370. Senator Scott: Relating to revenue and taxation.	27	356	.....
4370. (SUBSTITUTE) Committee on Ways and Means: Freezing inventory phase-out at current levels. ....	.....	.....	359
4371. Senator Scott: Relating to revenue and taxation.	27	.....	.....
4372. Senator Scott: Relating to revenue and taxation.	27	.....	2393, 2415
4373. Senator Scott: Relating to state government.	27	.....	.....
4374. Senator Scott: Relating to the budget.	27	47	.....
4374. (SUBSTITUTE) Committee on Ways and Means: 1981-83 appropriations modified. ....	.....	.....	50-68, 70-98, 99-107, 108-120
4375. Senator Scott: Adopting a supplemental budget.	27	.....	.....
4376. Senator Scott: Relating to state government.	27	.....	.....
4377. Senator Quigg: Relating to deregulation of business.	27	.....	.....
4378. Senator Quigg: Relating to business deregulation. ..	27	.....	.....
4379. Senators Talley, Guess, McCaslin, Deccio, Craswell and Hansen: Abolishing the department of ecology and transferring its functions to the department of natural resources.	27	.....	.....
4380. Senator Scott (by Office of Financial Management request): Providing for management of cash flow of public funds.	27	.....	.....
4381. Senators Quigg, Talley, Gallagher, Hemstad, von Reichbauer, Lee, Rasmussen, Fuller, Zimmerman, Bauer, Peterson and Patterson: Providing for acquisition of land for dredge spoil from volcanic silt.	28	.....	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of	
	1st Reading Referral	Committee	2nd Reading
4382. Senators McDermott, Rasmussen, Peterson, Talley, Wojahn, Metcalf, Zimmerman, Bottiger, Goltz, Shinpoch, Ridder, Gaspard, Williams, Fleming, Conner and Quigg: Granting excise tax fiscal home rule. . .	28	.....	.....
4383. Senators Patterson, Hansen, Deccio, Guess, Craswell and McCaslin: Abolishing buy-back for teachers' unused sick leave.	29	.....	.....
4384. Senators Scott and Gould (by Governor Spellman request): Modifying 1981-83 biennial state budget. .	29	.....	.....
4385. Senators Jones, Goltz, Benitz, Quigg, Hansen, Fleming and Sellar (by Governor Spellman request): Modifying provisions relating to state trade fair fund.	30	.....	.....
4386. Senators Benitz, Hansen and Sellar: Requiring a court to require plaintiffs in an action brought under SEPA to post security upon petition of the defendant.	31	764	.....
4387. Senators Charnley, Zimmerman, Williams and Bottiger: Imposing a one percent gross income tax upon individuals.	31	.....	2068, 2072
4388. Senator Talley: Forbidding commercial fishing in tributaries of the Columbia river.	31	.....	.....
4389. Senator Talley: Modifying definition of taxable rent.	31	.....	.....
4390. Senator Talley: Appropriating funds for oceanographic commission.	31	.....	.....
4391. Senator Scott, Zimmerman and Gould (by Governor Spellman request): Enacting uniform unclaimed property act of 1981.	31	.....	.....
4392. Senator Scott (by Governor Spellman request): Enacting an omnibus tax act.	32	.....	.....
4393. Senators Bluechel and Scott (by Governor Spellman request): Eliminating pollution control tax credits. .	32	.....	.....
4394. Senators Deccio, Newhouse and Hansen: Requiring notice to property owner and occupant before issuing local improvement assessment deeds.	33	.....	.....
4395. Senators Metcalf and Benitz: Relating to state personnel.	33	.....	.....
4396. Senators Metcalf and Benitz: Relating to public disclosure fees.	33	.....	.....
4397. Senators Deccio, Benitz, Metcalf and McCaslin: Relating to civil service reform.	33	.....	.....
4398. Senators Talley, Zimmerman, Fuller and Quigg: Renaming State Route 504 the Spirit Lake Memorial Highway and correcting its route description.	33	.....	.....
4399. Senator Shinpoch: Relating to equalization of timber taxes on public and private property.	35	.....	2063
4400. Senators Shinpoch and Talmadge: Relating to equalization of preferential public utility taxes.	35	.....	.....
4401. Senators Shinpoch, Fleming and Williams: Relating to equalizing preferential business and occupation taxes.	35	.....	2066

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	
	1st Reading Referral	Report of Committee 2nd Reading
4402. Senators Shinpoch, Hansen and Goltz: Relating to termination of certain retail sales tax exemptions and deferrals.	35	2067
4403. Senators Shinpoch, Moore, Charnley and Hughes: Relating to an excise tax on mining and quarrying equal to excise tax on timber.	35	
4404. Senators Shinpoch, Talmadge, Woody, Williams, Hansen, Wojahn, Bottiger and Fleming: Relating to equalization of excise taxes on recreational vehicles, aircraft, and watercraft.	36	
4405. Senators Shinpoch, Talmadge, Williams, Charnley, McDermott, Ridder, Wojahn, Hurley and Hughes: Relating to termination of pollution control tax credits.	36	
4406. Senator Deccio: Relating to social services.	36	
4407. Senator Deccio: Relating to public assistance.	36	
4408. Senator Deccio: Relating to department of corrections.	36	
4409. Senator Deccio: Relating to medical assistance.	36	
4410. Senator Deccio: Relating to public assistance.	36	
4411. Senator Deccio: Relating to nursing homes.	36	
4412. Senator Deccio: Relating to health services.	36	
4413. Senator Deccio: Relating to corrections.	36	
4414. Senator Deccio: Relating to juveniles.	36	
4415. Senator Deccio: Relating to juvenile diagnostic services.	36	
4416. Senator Deccio: Relating to certificate of need program.	36	
4417. Senator Deccio: Relating to authorizing the department of social and health services to establish fee schedules for certain services.	36	
4418. Senator Deccio: Relating to financial responsibility for all services and licensing activities to department of social and health services.	37	813
4418. (SUBSTITUTE) Committee on Social and Health Services: Enacting the social and health services financial responsibility act.		1059, 1061, 1066
4419. Senator Deccio: Relating to agencies serving children, developmentally disabled persons, or expectant mothers.	37	
4420. Senator Scott: Modifying educational employment relations act with respect to payment of dues and fees.	37	
4421. (ENGROSSED) Senators Gould, Bottiger and Zimmerman (by Governor Spellman request): Authorizing an increase in local option sales and use tax.	37	348-356, 359, 2477
4422. Senators Ridder, Gould, Goltz and Charnley: Extending rule-making authority of public disclosure commission.	37	641

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction		Report of Committee	2nd Reading
	1st Reading Referral			
4423. Senators Moore, Peterson, Talley and Hansen: Modifying provisions relating to leases of harbor areas and first class shorelands.	37	.....	.....	.....
4424. Senators Hemstad, Benitz, Zimmerman, von Reichbauer and Goltz: Allowing limited early retirement for certain public employees.	37	.....	.....	.....
4425. Senators Wojahn, Haley, Gaspard and Bottiger: Revising the requirement for certain port district elections on issue of increasing number of commissioners to five.	37	.....	588	796
4426. Senators Haley, Goltz, Metcalf, Gould and Sellar (by Secretary of State request): Establishing a voting boundary commission.	38	.....	.....	.....
4427. Senators Talmadge, Moore, Fleming and McDermott: Modifying cigarette taxes.	38	.....	.....	.....
4428. Senator Rasmussen: Modifying tax payment due dates and delinquency penalties.	38	.....	.....	.....
4429. Senators Kiskaddon, Bottiger, Scott and Wojahn: Clarifying law as to investment of excess school funds.	38	.....	.....	.....
4430. Senators Talmadge and Shipoch: Relating to corporate and other state filing fees.	38	.....	.....	.....
4431. Senators Talmadge, Shipoch, Hughes, Moore, Talley, Gaspard and Peterson: Relating to state lottery. ...	38	.....	.....	.....
4432. Senators Talmadge and Hughes: Relating to leasehold excise taxes for federal contractors.	38	.....	.....	.....
4433. Senators Moore, Peterson and Ridder: Relating to excise taxes on securities and commodities commissions.	38	.....	.....	.....
4434. Senators McCaslin, Hansen, Craswell, Metcalf, Deccio and Guess: Modifying provisions relating to family day-care homes.	40	.....	.....	.....
4435. Senator Lee: Modifying taxes during periods of fiscal emergencies.	40	.....	.....	.....
4436. Senators Hansen and Goltz: Providing for no implied warranty that livestock are free from disease or breedable.	40	.....	493	760
4437. Senators Hansen and Goltz: Modifying laws governing commission merchants and dealers of agricultural products.	40	.....	573	.....
4437. (SUBSTITUTE) Committee on Agriculture: Modifying laws governing commission merchants and dealers of agricultural products. ....	.....	.....	.....	771
4438. Senator Hansen: Modifying laws governing commission merchants.	40	.....	529	.....
4438. (SUBSTITUTE) Committee on Agriculture: Modifying laws governing commission merchants. ....	.....	.....	.....	772

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of Committee	2nd Reading
	1st Reading Referral		
4439. Senator Hansen: Changing maximum cattle assessments.	41	493	.....
4439. (SUBSTITUTE) Committee on Agriculture: Changing maximum cattle assessments. ....	.....	.....	772
4440. Senator Metcalf: Modifying the educational employment relations act.	41	461	.....
4440. (SUBSTITUTE) Committee on State Government: Modifying the educational employment relations act. ....	.....	.....	915
4441. Senators Craswell and Shinpoeh: Modifying repayment requirements for investment project tax deferrals. . .	41	.....	.....
4442. Senators Rasmussen, Conner and Gallagher: Authorizing the bartering of fresh salmon.	41	.....	.....
4443. Senators Talley and Peterson: Authorizing fraternal organizations to operate slot machines.	41	.....	.....
4444. Senator Hayner: Providing a bail forfeiture program for juveniles.	41	.....	.....
4445. Senators Goltz, Ridder, Bottiger and Wajahn: Requiring that insurance policies for health care services which cover hospitalization also cover home health care.	41	.....	.....
4446. Senator Goltz: Eliminating the sales tax exemption for nonresidents.	41	.....	.....
4447. Senators Hughes, Fleming, Ridder, Woody, Goltz and Bauer: Authorizing the state to contract for parking for state employees on business trips.	41	.....	.....
4448. Senators Haley, Rasmussen, Gallagher, Bottiger, Gaspard and Wajahn: Modifying elections in port districts.	42	.....	.....
4449. Senator Conner: Increasing number of judges in Clallam and Jefferson counties.	42	722	.....
4449. (SUBSTITUTE) Judiciary Committee: Increasing number of judges in Clallam and Jefferson counties. ....	.....	.....	773
4450. Senator Goltz: Extending sales and use taxes to intangible property.	42	.....	.....
4451. Senators Quigg, Conner and McCaslin: Delineating restrictions on taxing power of counties, cities and towns.	42	.....	.....
4452. Senator Metcalf: Relating to state fisheries.	42	.....	.....
4453. Senator Craswell: Relating to the taxation of inventories.	42	.....	.....
4454. Senator Metcalf: Relating to adoption.	42	.....	.....
4455. Senator Talley: Relating to branch banking.	42	.....	.....
4456. Senator Talley: Relating to volcanic dredge spoil site acquisition.	42	.....	.....
4457. Senator Hurley: Abolishing administration of community college system and transferring responsibility for education therein offered to appropriate regional universities to effect cost savings.	43	.....	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction		Report of Committee	2nd Reading
	1st Reading Referral			
4458. Senators Guess, Hayner, Jones, Scott, Bluechel, Haley, Craswell, Zimmerman, Quigg and Deccio (by Executive request): Imposing a severance tax on oil and gas.	45			
4459. Senator Guess: Prohibiting game department from establishing wildlife checking stations.	393			
4460. Senators Guess and Charnley: Revising bicycle laws.	393	666		
4460. (SUBSTITUTE) Committee on Transportation: Revising bicycle laws.				773
4461. Senators Bluechel, Deccio, Charnley, Benitz, Fuller, Gallagher, Gould, Guess, Haley, Jones, Lee, Patterson, Quigg, Sellar, von Reichbauer and Hemstad: Modifying time limits and evidence rules in actions involving the sexual abuse of children.	394	685		
4461. (SUBSTITUTE) Judiciary Committee: Modifying time limits and evidence rules in actions involving the sexual abuse of children.				785
4462. Senator Guess: Exempting residential property from certain L.I.D. special assessments.	394			
4463. Senators Gould and Moore: Modifying provisions relating to joint operating agencies.	394	461		
4464. Senators Gallagher, Peterson, Sellar and Conner (by Department of Fisheries request): Modifying provisions relating to crab fishing.	394	461	689	
4465. Senators Gallagher, Peterson, Sellar and Conner (by Department of Fisheries request): Extending the buy-back program for commercial salmon fishing vessels.	394			
4466. Senator Gallagher (by Department of Game request): Revising law on inspecting businesses that sell or handle wildlife.	394	543	775	
4467. Senators Sellar and Talley: Modifying the definition of taxable rent for purposes of leasehold excise tax.	394			
4468. Senator Scott: Revising laws concerning authorized deductions of retirement pay.	394	573	703	
4469. Senators von Reichbauer, Patterson, Hansen and Vognild: Advancing construction of interstate highways.	400	446		
4469. (SUBSTITUTE) Committee on Transportation: Advancing construction of interstate highways.				703, 705, 725
4470. Senators Clarke, Vognild, Benitz, Rasmussen, Hurley and Zimmerman (by Governor Spellman request): Modifying provisions relating to pistols.	400	573	921	

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
.....
.....	762	.....	.....	.....	.....	.....
773	.....	773	1277	1372	1408	Signed 1883 CH. 55 L. 1982
.....	785	.....	.....	.....	.....	.....
785	1364	786, 1365	1360	1453	1454	Signed 2090 CH. 129 L. 1982
.....
.....
690	.....	691	1388	1453	1454	Signed 2091 CH. 157 L. 1982
.....
775	762	775	1277	1386	1408	Signed 2091 CH. 152 L. 1982
.....
703	1419	703, 1419	1418	1604	1613	Signed 2090 CH. 135 L. 1982
.....	678, 703	.....	.....	.....	.....	.....
725	706, 728-729	728	1157	1158	1194	Signed 1472 CH. 19 L. 1982
923	1498, 1522	923	1497	.....	.....	.....

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction		2nd Reading
	1st Reading Referral	Report of Committee	
4471. Senators Pullen and Woody: Making general election ballot formats uniform.....	400	428	692
4472. Senators Pullen and Woody: Permitting indigent candidates to file petitions of candidacy in lieu of paying the filing fee.	400	764	.....
4473. Senators Pullen and Rasmussen: Applying penalties for violations of the public disclosure law to all persons uniformly.....	401	541	775
4474. Senators Vognild, Gould, Talmadge, Woody and Metcalf: Modifying provisions relating to witnesses in criminal proceedings.....	401	494	776
4475. Senator Haley: Authorizing and providing for a state lottery.....	401	.....	.....
4476. Senators Jones and Moore: Authorizing public agencies to contract with collection agencies.....	405	573	711
4477. Senators Fuller and Zimmerman: Modifying provisions relating to volunteer work on state park lands.	405	461	681, 739
4478. Senator Shinpoch: Permitting a reduction in motor vehicle excise tax when owner was outside United States during previous year and vehicle was not used during that time.....	405	.....	.....
4479. Senators Talley and Peterson: Providing for sale of surplus salmon.	405	.....	.....
4480. Senators Zimmerman, Bauer and Moore: Modifying distribution procedures of federal forest funds.....	405	666	.....
4481. Senators Sellar and Talley: Revising review limitations of sewer or water district plans.....	406	641	.....
4481. (SUBSTITUTE) Committee on Local Government: Revising review limitations of sewer or water district plans.....	.....	.....	777
4482. Senators Lee, Talmadge, Haley, Gallagher, Lysen, Wojahn and Rasmussen: Prohibiting a municipal corporation from establishing a wastewater treatment outfall between Alki Point and Dash Point.....	406	.....	.....
4483. Senators Hemstad, Talmadge and Wojahn: Prescribing penalties for assaults on transit drivers.....	406	494	761
4484. Senators Haley, Charnley, Jones and Craswell: Establishing commercial zones and terminal areas for trucks.....	406	746	918
4485. Senators Hurley and Fuller: Appropriating funds for establishing of a boat moorage fee at selected state parks.....	406	428	699

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction		2nd Reading
	1st Reading Referral	Report of Committee	
4486. Senator Clarke (by Code Reviser request): Correcting double amendments to various statutes.	406	428	.....
4487. Senators Benitz, Talley and Quigg: Changing treatment of reforestation lands under chapter 84.28 RCW. . .	407	.....	.....
4488. Senators Zimmerman and Charnley: Revising payment procedures of assessments for local improvements. . .	407	446	688
4489. Senators Clarke, Newhouse and Wojahn (by Judicial Council request): Revising appellate procedures from city police courts.	407	446	853
4490. Senator Talmadge: Correcting double amendment relating to motor vehicle offenses.	407	.....	.....
4491. Senators Clarke, Talmadge, Newhouse and Wojahn (by Judicial Council request): Permitting state appeals court judges to serve as judges pro tempore of the state supreme court.	408	446	691
4492. Senators Clarke, Newhouse, Wojahn and Zimmerman (by Judicial Council request): Excluding all parking offenses from additional penalty assessments.	408	494	777
4493. Senators Clarke, Talmadge, Newhouse and Wojahn (by Judicial Council request): Permitting justice courts to impose fines up to \$1000.	408	447	591
4494. Senators Clarke, Wojahn and Newhouse (by Judicial Council request): Establishing a uniform procedure for issuing and executing warrants for administrative inspections.	408	641	.....
4494. (SUBSTITUTE) Judiciary Committee: Establishing a uniform procedure for issuing and executing warrants for administrative inspections. ....	.....	.....	854
4495. Senators Hemstad, Fuller, McCaslin, Zimmerman and Lee (by Governor Spellman request): Providing for early retirement from public employment.	408	.....	.....
4496. Senator Scott (by Governor Spellman request): Modifying collection procedures for sales and use taxes.	408	.....	.....
4497. Senator Scott (by Governor Spellman request): Modifying the aircraft excise tax.	408	.....	.....
4498. Senator Scott (by Governor Spellman request): Imposing the sales and use tax on motor vehicle fuel.	408	.....	.....
4499. Senators von Reichbauer, Bottiger, Quigg and Bauer: Revising regulations of health care services which includes dental care.	409	.....	.....
4500. Senators Hemstad, Sellar and Wojahn: Requiring reports of examinations by optometrists.	409	.....	.....
4501. Senators Guess, Hansen and Quigg: Modifying requirements for posting of prevailing wage statements by certain contractors.	419	666	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
.....	521
.....	442
688	688	1277	1372	1408	Signed 2044 CH. 96 L. 1982
853	762	853	SCR 148 1657
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691	691	1277	1386	1408	Signed 2002 CH. 72 L. 1982
778, 1670	762, 1570-1571 1577, 1667, 1907-1909	778, 1670	1565, 1577, 1902, 1972	1991	1992	Signed 2045 CH. 12 L. 1982 E1
592	1366	592, 1366	1366	1453	1454	Signed 2091 CH. 150 L. 1982
.....	761, 854
854	854	1371
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.....	2028
.....	442
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.....	894

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction		Report of Committee	2nd Reading
	1st Reading Referral			
4501. (SUBSTITUTE) Committee on Commerce and Labor: Modifying requirements for posting of prevailing wage statements by certain contractors.....				895
4502. Senator Lee: Modifying funds apportioned by superintendent of public instruction.....	419		1146	
4502. (SUBSTITUTE) Committee on Ways and Means: Modifying funds apportioned by superintendent of public instruction.				1309
4503. Senators Hemstad and Zimmerman: Modifying provisions relating to retirement from public employ- ment.	419			
4504. Senators Guess, Clarke, Jones and Bluechel: Deregulating local cartage in cities under two hundred thousand population.	419			
4505. Senators Sellar and Talley: Deleting minimum charge for county treasurer investment service.....	419		461	
4505. (SUBSTITUTE) Committee on Local Government: Deleting minimum charge for county treasurer investment service.				712
4506. Senators Clarke and Rasmussen (by State Treasurer request): Authorizing the state treasurer to alter certificate of deposit allocation.....	420		529	894
4507. Senators Clarke and Rasmussen (by State Treasurer request): Extending the state treasurer's authority to invest treasury surplus.	420		666, 746	1124
4508. Senators Gould, Guess and Newhouse (by Governor Spellman request): Modifying provisions relating to the energy facility site evaluation council.	420			
4509. Senators Haley, Talmadge, Shinpoch, Hemstad and Woody: Providing for joint child custody.....	420			
4510. Senators Quigg, Talley, Guess, Zimmerman, Fuller and Sellar: Providing for recovery operations from Mt. St. Helens eruption.....	420		529	
4510. (SUBSTITUTE) Committee on Ways and Means: Providing for recovery operations from Mt. St. Helens eruption.				693
4511. Senators McDermott, Benitz, Charnley and Goltz: Authorizing enrollment in institutions of higher education of students presently scheduled to graduate from high schools in 1982.	421			
4512. Senators Clarke, Talmadge, Hemstad and Hughes: Modifying the liability of railroad company employees.	421		573	707

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
895	895	1277	1372	1408	Signed 2090 CH. 130 L. 1982
.....	1308
1309	1649	1309, 1630	1648	1652	1652	Signed 2090 CH. 136 L. 1982
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.....	712
712	712	1277	1372	1408	Signed 2002 CH. 73 L. 1982
894	894	1277	1277	1352	Signed 2002 CH. 74 L. 1982
1124	1124	1583	1604	1613	Signed 2091 CH. 148 L. 1982
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.....	693
693	1076	698, 1076	1074	1076	1091	Signed 1094 CH. 7 L. 1982
.....
708	708	1277	1373	1408	Signed 2091 CH. 141 L. 1982

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of Committee	2nd Reading
	1st Reading Referral		
4528. Senators Clarke, Talmadge and Hemstad (by Department of Licensing request): Revising the laws governing trade names.....	422	.....	.....
4529. Senator Metcalf: Relating to public employment. . .	422	.....	.....
4530. Senator Metcalf: Relating to public employment. . .	423	.....	.....
4531. Senator Metcalf: Relating to state personnel systems.	423	.....	.....
4532. Senator Metcalf: Relating to fiscal administration. .	423	.....	.....
4533. Senator Metcalf: Relating to state government.	423	.....	.....
4534. Senator Metcalf: Relating to state government.	423	.....	.....
4535. Senator Metcalf: Relating to state government.	423	.....	.....
4536. Senator Metcalf: Relating to state government.	423	1757	.....
4537. Senator Metcalf: Relating to state personnel systems.	423	.....	.....
4538. Senator Metcalf: Relating to state personnel systems.	423	.....	.....
4539. Senator Metcalf: Relating to fiscal administration. .	423	.....	.....
4540. Senator Metcalf: Relating to fiscal administration. .	423	.....	.....
4541. Senator Metcalf: Relating to veterans affairs.	423	.....	.....
4542. Senator Metcalf: Relating to veterans affairs.	423	.....	.....
4543. Senators Hemstad and Talmadge: Modifying the interest rate on judgments.	429	.....	.....
4544. Senators von Reichbauer, Vognild and Benitz: Permitting the department of licensing to supply lists of vehicle owners for certain purposes.	429	474	651
4545. Senators von Reichbauer, Gaspard, Benitz, Talley, Quigg and Gallagher: Exempting from MVET vehicles used exclusively for elderly or handicapped ride-sharing.	430	474	.....
4545. (SUBSTITUTE) Committee on Transportation: Exempting from MVET vehicles used exclusively for elderly or handicapped ride-sharing. ....	.....	.....	798
4546. Senators Newhouse, Charnley and Benitz: Modifying provisions relating to financial interests in alcoholic beverages businesses.	430	746	.....
4546. (SUBSTITUTE) Committee on Commerce and Labor: Modifying provisions relating to financial interests in alcoholic beverages businesses. ....	.....	.....	806
4547. Senators von Reichbauer, Vognild and Quigg: Permitting horseless carriage plates to be issued to pre 1941 vehicles.	430	474	806
4548. Senators Haley, Charnley, Hemstad and Bluechel: Requiring children under five in their parents' vehicles to be secured in a child passenger restraint system.	430	658	758, 2222
4549. Senators von Reichbauer, Talley and Guess (by Department of Transportation request): Amending the transportation budget.	430	543	832

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction		Report of Committee	2nd Reading
	1st Reading Referral			
4550. Senator Guess (by Department of Game request): Revising requirements to facilitate checking compliance with game laws.	430	813		.....
4550. (SUBSTITUTE) Committee on Natural Resources: Revising requirements to facilitate checking compliance with game laws. ....	.....	.....		956
4551. Senators von Reichbauer, Hansen and Patterson: Revising laws relating to the state commission on equipment.	430	667		807
4552. Senators Jones and Talmadge: Modifying provisions relating to notaries' fees.	430	.....		.....
4553. Senators Deccio and Rasmussen (by Governor Spellman request): Transferring the powers and duties of the commission for the blind to DSHS.	431	.....		.....
4554. Senator Pullen: Authorizing modification of the requirements of the public disclosure act.	431	543		808
4555. Senators Metcalf and Goltz (by Department of General Administration request): Modifying provisions relating to public works.	431	.....		.....
4556. Senators Newhouse and Bauer: Modifying unlawful detainer procedures.	432	.....		.....
4557. Senators Deccio and Hughes: Modifying the landlords' rights and responsibilities when a tenancy is aban- doned.	432	733		809
4558. Senators Quigg, Vognild and Newhouse: Modifying industrial insurance coverage for owner-operators of trucks.	432	641		854
4559. Senators Lee, Rasmussen and Metcalf (by Department of General Administration request): Modifying the state forms management program.	432	461, 1547, 1584		810
4560. Senators Rasmussen and Talmadge (by Lt. Governor request): Including operating agencies under the public disclosure and open meeting laws.	436	765		.....
4561. Senators Deccio and Moore (by Department of Licensing request): Revising authorized limits for certain professional and other fees.	436	574		.....
4561. (SUBSTITUTE) Committee on Commerce and Labor: Revising authorized limits for certain professional and other fees. ....	.....	.....		822
4562. Senators von Reichbauer, Talley, Guess and Charnley: Authorizing state participation in a multistate motor fuel tax agreement.	436	588		.....
4562. (SUBSTITUTE) Committee on Transportation: Autho- rizing state participation in a multistate motor fuel tax agreement. ....	.....	.....		997

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
.....	956	.....	.....	.....	.....	Signed 2091
956	956	1613	1652	1652	CH. 155 L. 1982
807	762	808	1584	1652	1652	Signed 2044 CH. 106 L. 1982
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809	762	809	SCR 148 1656
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809	762, 1480	810	1476
855	762	855	1277	1277	1352	Signed 2769 CH. 80 L. 1982 P.V.
811	762, 1375, 1455, 1547, 1585	811, 1585	1374, 1455, 1547, 1584	1652	1652	Signed 2293 CH. 214 L. 1982
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822	762, 822 1519	822, 1519	1518	1584	1613	Signed 2091 CH. 162 L. 1982
.....	997
997	997	1276	1373	1408	Signed 2091 CH. 161 L. 1982

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction		Report of Committee	2nd Reading
	1st Reading Referral			
4563. Senator Metcalf (by Governor Spellman request): Increasing the number of positions exempt from civil service.....	436	543		
4564. Senators Scott, Rasmussen and Zimmerman (by Legislative Budget Committee request): Modifying provisions on the procurement of insurance by state agencies.....	436			
4565. Senators Fuller, Hemstad and Williams (by Office of Archaeology and Historic Preservation request): Authorizing fees for consulting services rendered by the office of archaeology and historic preservation.	436	642		
4566. Senators Newhouse, Hansen, Benitz and Patterson (by State Auditor request): Modifying requirements for audits of agriculture marketing funds.....	437	667		
4566. (SUBSTITUTE) Committee on Agriculture: Modifying requirements for audits of agriculture marketing funds.				823
4567. Senators Haley and Wojahn: Authorizing certain conversions and mergers involving savings and loan associations.....	437			
4568. Senator Rasmussen (by Lt. Governor request): Encouraging residential construction on state highway lands.....	437			
4569. Senators Bluechel, Bauer, Bottiger and Newhouse: Implementing the law relating to investments as assets of domestic insurers.....	437	667		824
4570. Senators Pullen and Ridder: Increasing permissible limits for contracts between municipalities and their officers.....	437	541		825
4571. Senators Bluechel, Moore and Talley: Revising procedures for sale of property by port districts....	437	588		803
4572. Senators Clarke, Hemstad, Talmadge, Fuller, Deccio, Scott and Bluechel (by Secretary of State request): Revising filing procedures, fee schedules, and requirements for laws administered by the secretary of state.....	437			
4573. Senators McCaslin, Charnley and Fuller: Modifying provisions relating to the municipal revolving fund..	439			
4574. Senators Rasmussen and Zimmerman (by Legislative Budget Committee request): Repealing provisions relating to farm labor contractors.....	439			
4575. Senators Rasmussen, Zimmerman and McDermott (by Legislative Budget Committee request): Repealing the requirement of judicial permission for employment of certain minors.....	440			

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of	
	1st Reading Referral	Committee	2nd Reading
4576. Senators Quigg and Hemstad: Modifying the authority of counties to impose rates of taxation of gambling activities upon cities.	440	.....	.....
4577. Senators Zimmerman, Rasmussen and Ridder (by Legislative Budget Committee request): Authorizing the parole board to reduce prison overcrowding. ...	440	.....	.....
4578. Senators Scott, Deccio, Talmadge, Goltz, Charnley, Benitz and Fleming: Increasing the insurance premiums tax.	440	1147	1153
4579. Senators Rasmussen and Zimmerman (by Legislative Budget Committee request): Transferring the duties of the industrial welfare committee to the department of labor and industries.	440	.....	.....
4580. Senators Rasmussen and Zimmerman (by Legislative Budget Committee request): Repealing provisions relating to labor relations in health care activities. .	441	.....	.....
4581. Senators Shinpoch, Deccio, Gaspard and Lee: Limiting risk of state and members of committee for deferred compensation with respect to deferred compensation plans for public employees.	449	.....	.....
4582. Senators Quigg, Newhouse, Jones, Vognild, Williams and Hurley: Establishing a limited small business innovators opportunity program.	450	.....	.....
4583. Senator Deccio: Regulating certain blood banking practices.	450	747	.....
4584. Senators Hemstad, Hansen, Benitz and Quigg: Putting Arabian horse racing under parimutuel betting system.	450	574	713
4585. Senator Bottiger: Modifying the public utility tax on state-wide natural gas companies.	450	.....	2059
4586. Senators Metcalf, Hemstad and Wilson (by Governor Spellman request): Reorganizing various agencies of state government.	450	813	.....
4586. (SUBSTITUTE) Committee on State Government: Reorganizing various agencies of state government. .	.....	.....	1059
4587. Senators Pullen and Woody: Clarifying the duties of the supreme court regarding recall matters.	451	.....	.....
4588. Senator Quigg: Modifying provisions relating to the assignment of dental benefits.	451	.....	.....
4589. Senators Pullen and Woody: Revising election laws on notices and recalls.	451	.....	.....
4590. Senators Williams, Rasmussen, Lysen, Hurley, Conner, Goltz, Ridder, Wojahn, Charnley, Bauer, Hughes, McDermott, Gaspard, Fleming, Vognild and Talmadge: Limiting volume of nuclear waste stored in the state.	451	.....	.....
4591. Senators Lysen, Quigg, Hurley, Pullen, von Reichbauer and Craswell: Providing for state-wide election of the members of the utilities and transportation commission.	452	.....	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
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1155, 1696	1694	1155, 1697	SCR 148 1657, HCR 53 2647
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713	1421	713, 1421	1420	1604	1613	Signed 2090 CH. 132 L. 1982
2059	2028	2059	HCR 53 2647
.....	1059
1059, 1697	1694	1059, 1697	SCR 148 1657, HCR 53 2647
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TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of	
	1st Reading Referral	Committee	2nd Reading
4592. Senators Vognild, Quigg, Fleming, Lysen, Ridder, Bottiger, McDermott, Talmadge and Gaspard: Granting a B & O tax credit for wages paid certain employees.	462	.....	.....
4593. Senators Vognild, Quigg, Talmadge, Ridder, Fleming, McDermott, Bottiger, Charnley and Gaspard: Establishing the shared work unemployment insurance program.	462	.....	.....
4594. Senators Fleming, Quigg, Charnley, Vognild, Bottiger, Ridder, Hughes, Rasmussen, Wojahn, McDermott, Gaspard and Bauer: Appropriating money for the employment services program of the department of employment security.	462	.....	.....
4595. Senators Goltz, Haley, Woody, Moore, Fleming, Bottiger, Wojahn, Lysen, Talley, Rasmussen, Conner, Ridder, Gaspard, McDermott, Hurley, Charnley and Bauer: Establishing the youth services corps.	462	.....	.....
4596. Senators McDermott, Quigg, Fleming, Vognild, Moore, Woody, Talmadge and Gaspard: Creating a joint committee on unemployment compensation.	463	.....	.....
4597. Senators Zimmerman, Vognild and Bauer: Modifying the state fireworks law.	463	765	.....
4597. (SUBSTITUTE) Committee on Commerce and Labor: Modifying the state fireworks law. ....	.....	.....	961, 964
4598. Senators Bottiger, Wojahn and Ridder: Imposing an increased sales tax on x-rated materials.	464	.....	.....
4599. Senators Zimmerman and Bauer: Modifying minimum mosquito control districts tax.	464	588	825
4600. Senators Bottiger, Gaspard, Rasmussen, Ridder, Lysen, Moore, Vognild, Wojahn, Fleming, Hurley, Bauer, Hansen and Woody: Requiring criminals to make restitution to their victims.	464	.....	.....
4601. Senators Bauer and Zimmerman: Requiring warning labels on toxic plants sold at retail.	464	.....	.....
4602. Senators Lee and Talmadge: Modifying provisions relating to street lighting systems.	464	642	826
4603. Senators Zimmerman, Fleming, Bottiger, Hemstad, Bauer, Benitz and Fuller (by Governor Spellman request): Providing means for payment of public indebtedness on public improvements.	464	642, 733, 1147	.....
4603. (SECOND SUBSTITUTE) Committee on Ways and Means: Providing means for payment of public indebtedness on public improvements.	464	.....	1195
4604. Senator Scott: Increasing criminal penalties for certain types of tax evasion.	464	.....	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction		2nd Reading
	1st Reading Referral	Report of Committee	
4605. Senator Scott: Authorizing department of revenue to contract for out-of-state auditing service.....	465	543	.....
4605. (SUBSTITUTE) Committee on Ways and Means: Authorizing department of revenue to contract for out-of-state auditing service.....	.....	.....	1017
4606. Senators Zimmerman, Hemstad, Wilson and Charnley: Exempting cities and towns that contract for library services from having a board of library trustees....	465	.....	.....
4607. Senator Scott: Limiting the cogeneration tax credit.	465	544	849
4608. Senators Fuller, Peterson, Hemstad, Gallagher and Conner: Modifying provisions on forest land taxation.	465	.....	.....
4609. Senators Kiskaddon and Vognild (by Governor Spellman request): Revising laws governing labor relations for ferry workers.....	465	1156	1558
4609. (SUBSTITUTE) Committee on Transportation: Revising laws governing labor relations for ferry workers.	.....	.....	1559
4610. Senators Quigg, Deccio, Talmadge and Moore: Prohibiting clauses which restrict the beneficiary's right to assign health care insurance payments.....	465	789	.....
4611. Senators Guess, Benitz, Gallagher, McCaslin, Craswell and Haley: Modifying salaries for public employees.	465	.....	.....
4612. Senators Gallagher, Vognild and Haley: Authorizing private salmon release-recapture facilities.....	466	588	1017
4613. Senators Metcalf, Pullen and Craswell: Excluding certain individuals and church educational ministries from state control regarding education of their children.....	466	.....	.....
4614. Senator Vognild: Modifying provisions on barbering.	466	1010	.....
4615. Senators Metcalf, Gaspard and Gallagher: Prohibiting state employees and officials from receiving salary higher than the governor's.....	466	699	.....
4616. Senators Gould, Moore, Hemstad and Williams: Requiring inverted electric rate structures.....	466	685	1151, 1153, 1155
4617. Senators Bauer, Bluechel, Scott, Hansen, Bottiger, Hughes, Gaspard, Zimmerman and Talley: Modifying the interest used in calculating the tax imposed upon removal of certain lands from current use classification.	466	733	.....
4617. (SUBSTITUTE) Committee on Ways and Means: Modifying interest used in calculating tax imposed upon removal of certain lands from current use classification.....	.....	.....	916
4618. Senators Vognild, Quigg and Hansen: Clarifying provisions of the shoreline management act.....	466	.....	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction		
	1st Reading Referral	Report of Committee	2nd Reading
4619. Senators Metcalf, Conner and Gallagher: Requiring dissemination to doctors information on certain health problems of veterans.	466	543	827, 849
4620. Senators Quigg, Conner, Talley and Fuller: Imposing a tax on the off-shore extraction of titaniferous magnetite.	467	1221	.....
4621. Senators Kiskaddon, Hayner, Lee, Goltz, Zimmerman and Ridder (by Governor Spellman request): Creating a state center for voluntary action.	478	747	.....
4622. Senators Quigg, Jones, Lee, Bottiger and Vognild (by Governor Spellman request): Creating the community economic revitalization board.	478	748	.....
4623. Senators Gould, Clarke and Wojahn: Authorizing increase in levies for school district maintenance and operation purposes.	478	658	.....
4624. Senators Pullen and Woody: Preventing a person from simultaneous candidacy for incompatible offices. ...	478	542	.....
4625. Senator Pullen: Updating procedural terminology regarding court review of initiative and referendum signature sufficiency.	478	667	.....
4626. Senator Lee (by Governor Spellman request): Providing for review of certain agencies under the Sunset Act.	478	700	834
4627. Senators Gallagher, Deccio, Kiskaddon and Benitz (by Governor Spellman request): Modifying provisions relating to the health care facilities authority.	479	.....	.....
4628. Senators Fuller, Haley and Lee (by Governor Spellman request): Establishing an occupational information service.	479	685	.....
4629. Senators Quigg and Vognild (by Department of Labor and Industries request): Revising boiler laws.	479	667	.....
4630. Senators Quigg and Vognild (by Department of Labor and Industries request): Revising elevator laws.	480	685	856
4631. Senators Quigg and Vognild (by Department of Labor and Industries request): Regulating contractor registration.	480	963	.....
4632. Senators Gallagher, Fuller, Deccio, Haley, Benitz and Zimmerman (by Governor Spellman request): Modifying provisions relating to the traffic safety commission.	481	574	.....
4633. Senators Gallagher, Deccio, Lee, Bluechel, Guess and Hayner (by Governor Spellman request): Abolishing certain boards and commissions and transferring their powers, duties and functions.	481	.....	.....
4634. Senator Scott: Providing for adjustments in the apportionment of the state levy.	483	1457	1781
4635. Senators Bluechel and Gaspard (by Department of Retirement Systems request): Revising laws relating to LEOFF.	483	574	703

Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
850	762, 827, 1499	850, 1499	1499	1584	1613	Signed 2044 CH. 97 L. 1982
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834	834	SCR 148 1657
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856	762	856	SCR 148 1657
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1781	1694, 2088, 2093	1781, 2093	2087, 2093	2096	2227	Signed 2771 CH. 28 L. 1982 E1
703	.....	703	1046	1047	1058	Signed 1198 CH. 12 L. 1982

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction		2nd Reading
	1st Reading Referral	Report of Committee	
4636. Senators Bluechel, Gaspard and Zimmerman (by Department of Retirement Systems request): Revising laws relating to correction of errors made under retirement systems.	483	574	704
4637. Senator Scott: Restricting deductions from salaries or wages of school certificated employees for contributions to political action committees.	483	.....	.....
4638. Senators Scott, Craswell, Bluechel and Zimmerman (by Department of Retirement Systems request): Providing for lump sum payments of retirement benefits.	483	574	705
4639. Senator Rasmussen: Prohibiting carrying firearms or dangerous weapons onto school premises.	483	.....	.....
4640. Senators Scott, Zimmerman and Gaspard (by Department of Retirement Systems request): Revising laws relating to retirement from public service.	483	575	706
4641. Senators Benitz, Hayner and Gould: Providing funding for state participation in Energy Fair '83.	484	515	.....
4642. Senators Gaspard and Bottiger: Modifying the mobile home landlord tenant laws.	484	.....	.....
4643. Senator Deccio (by Department of Social and Health Services request): Modifying provisions relating to county alcoholism and drug abuse programs.	495	.....	.....
4644. Senator Scott and Shinpoch: Establishing the state investment board commingled trust fund.	495	733	851
4645. Senator Deccio (by Department of Social and Health Services request): Modifying provisions relating to child welfare services.	495	.....	.....
4646. Senator Deccio (by Department of Social and Health Services request): Modifying provisions relating to county community mental health programs.	496	.....	.....
4647. Senator Lee: Enlarging scope of losses covered by permanent insurance fund of first class school district.	496	544	851
4648. Senators Lee and Bauer: Allowing school districts and educational districts to be self-insurers under industrial insurance provisions.	496	722	.....
4648. (SUBSTITUTE) Committee on Education: Allowing school districts and educational districts to be self-insurers under industrial insurance provisions. ....	.....	.....	853
4649. Senators Newhouse, Vognild and Quigg (by Department of Labor and Industries request): Revising laws relating to industrial insurance.	496	813	.....
4650. Senators Lee and Gaspard: Authorizing school districts to enter into five year contracts for the providing of student transportation.	496	.....	.....
4651. Senator Deccio (by Department of Social and Health Services request): Modifying eligibility for services for the developmentally disabled.	497	.....	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of	2nd Reading
	1st Reading Referral	Committee	
4652. Senator Pullen: Repealing the motor vehicle emission testing program.	497	.....	.....
4653. Senators Quigg, Hansen and McCaslin: Modifying state building standards.	497	.....	.....
4654. Senator Talley: Including recreational flying of aircraft in items of outdoor recreation which if owners allow on their property will not submit such owners to liability for unintentional damage.	497	.....	.....
4655. Senators Kiskaddon, Gaspard, Gould and Hemstad: Making changes in the learning objectives and basic education school law.	497	544	.....
4655. (SUBSTITUTE) Committee on Education: Making changes in learning objectives and basic education school law. ....	.....	.....	710, 714, 753
4656. Senators Hansen and Gallagher: Repealing the distribution of motor vehicle excise taxes for support of public transportation.	498	.....	.....
4657. Senators Hansen, Guess and Bauer: Ending the state subsidy of Puget Sound ferry operations.	498	.....	.....
4658. Senator Deccio (by Department of Social and Health Services request): Modifying the energy allowance for public assistance recipients.	498	.....	.....
4659. Senators Hemstad and Clarke: Modifying provisions relating to the election of judges.	498	733	.....
4660. Senators Lee, Shinpoch, Deccio and Gaspard (by Joint Committee on Administrative Rules and request): Revising procedures for administrative rule-making notices and statements of purpose.	499	658	855
4661. Senator Quigg (by Department of Employment Security request): Modifying provisions relating to unemployment compensation.	499	723	890, 906, 912, 1708
4662. Senators Bauer, Sellar and Bottiger: Modifying provisions relating to savings and loan associations.	499	.....	.....
4663. Senator Gallagher: Relating to timber sales.	502	1088	.....
4663. (SUBSTITUTE) Committee on Natural Resources: Modifying the state timber sales program. ....	.....	.....	1213
4664. Senator Gallagher: Relating to state trust lands.	502	1093	.....
4665. Senator Gallagher: Relating to marine fish.	502	.....	.....
4666. Senator Gallagher: Relating to shellfish.	502	.....	.....
4667. Senator Gallagher: Relating to shorelands and tide-lands.	503	.....	.....
4668. Senator Gallagher: Relating to the department of natural resources.	503	1093	.....
4669. Senator Gallagher: Relating to hunting and fishing.	503	.....	.....
4670. Senators McDermott, Ridder, Wojahn, Williams, Goltz, Bauer and Fleming: Relating to the taxation of intangible personal property.	503	.....	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of	
	1st Reading Referral	Committee	2nd Reading
4671. Senators Sellar, Wilson and Hayner: Relating to high-way district boundaries.	503	.....	.....
4672. Senator Lee: Relating to review of administrative rules.	503	.....	.....
4673. Senator Kiskaddon: Relating to the joint select committee on sunset review.	503	.....	.....
4674. Senator Kiskaddon: Relating to sunset procedures. . .	503	.....	.....
4675. Senator Kiskaddon: Relating to school district transportation.	503	588	.....
4675. (SUBSTITUTE) Committee on Education: Implementing law relating to state apportionment for pupil transportation. ....	.....	2006, 2015	828, 891
4676. Senator Kiskaddon: Relating to school district transportation.	503	.....	.....
4677. Senator Gallagher: Relating to ocean ranching.	503	.....	.....
4678. Senators Newhouse, McDermott and Sellar: Requiring court disclosure of agreements between plaintiffs and defendants regarding damages.	516	.....	.....
4679. Senators Hayner, Jones, Newhouse, von Reichbauer and Quigg: Expanding the business license program including creating the business license center.	516	.....	.....
4680. Senators Hemstad and Fuller: Requiring the sheriff's civil service commission to schedule hearings and issue written opinions within certain time periods.	517	700	856
4681. Senators Zimmerman, Charnley, Bluechel, Decchio, Hemstad and Guess: Appropriating funds to the department of natural resources.	517	700	856
4682. Senators Talmadge, Voguild and Quigg: Renaming hearing examiners under the workers' compensation laws.	517	.....	.....
4683. Senators Hemstad, Talmadge, Gould, Bluechel, Shimpoch, Goltz, Zimmerman and Charnley: Authorizing exemption from public disclosure for files listing names of users of library materials.	518	723	.....
4683. (SUBSTITUTE) Committee on Constitutions and Elections: Authorizing exemption from public disclosure for files listing names of users of library materials. ....	.....	.....	857
4684. Senators Newhouse, Benitz, Zimmerman and Hansen (by Department of Agriculture request): Authorizing director of agriculture to take emergency measures against plant pests and diseases.	518	667	.....
4684. (SUBSTITUTE) Committee on Agriculture: Authorizing director of agriculture to take emergency measures against plant pests and diseases. ....	.....	.....	893
4685. Senators Kiskaddon, Bottiger, Hemstad and Woody: Requiring the board of prison terms and paroles to consider certain statutory changes in sentences for crimes.	518	.....	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction		2nd Reading
	1st Reading	Report of Committee	
	Referral		
4686. Senators Fuller, Hurley, Charnley, Gould and Hemstad: Providing for energy conservation through the recycling of used oil.	518	747	1150
4687. Senators Talmadge, Vognild, Shinpoch, Bauer, Fleming, Wojahn, Conner, Charnley, Woody, Goltz, Gaspard, Ridder, Moore and Hughes: Modifying provisions relating to veterans who have been exposed to chemical defoliants.	518	.....	.....
4688. Senators Hurley, Zimmerman, Scott, Hansen, Bauer, Fleming and Shinpoch: Imposing a watercraft excise tax.	518	.....	2060
4689. Senators Sellar and Hansen: Authorizing the apple commission to levy an assessment on processing apples.	518	.....	.....
4690. Senators von Reichbauer, Guess and Hansen: Recognizing current practices in county road administration.	518	642	858
4691. Senators Talmadge, Bottiger and Hemstad: Making technical corrections in the law of comparative fault and contribution among tortfeasors.	519	733	859
4692. Senators Gallagher and Vognild: Implementing a program of motorcycle operator training and safety education.	519	667	.....
4692. (SUBSTITUTE) Committee on Transportation: Implementing a program of motorcycle operator training and safety education. ....	.....	.....	889
4693. Senators Lee, Bauer, Kiskaddon and Gaspard: Developing an education enrichment block grant program from single fund source.	519	789	.....
4694. Senators Goltz and Patterson: Restoring reciprocity fees with British Columbia for students attending certain institutions of higher education subject to further negotiations with province of British Columbia.	519	700	.....
4695. Senators Talmadge, Bottiger and Hemstad: Providing for jurisdiction in arbitration cases.	519	.....	.....
4696. Senator Newhouse: Providing for the development of a program to foster tourism.	519	.....	.....
4697. Senators Quigg, Bluechel, Hemstad, Deccio, Craswell, Metcalf, McCaslin, Patterson, Talmadge, Moore, Woody, McDermott, Jones, Gallagher, von Reichbauer, Benitz, Hayner, Zimmerman, Hurley, Gould, Fuller, Lee, Kiskaddon, Goltz, Wojahn, Williams, Vognild, Talley, Rasmussen, Peterson, Lysen, Hansen, Gaspard, Charnley, Bottiger, Bauer and Sellar: Authorizing payroll deductions for IRA's.	519	668	.....
4697. (SUBSTITUTE) Committee on State Government: Authorizing payroll deductions for IRA's. ....	.....	.....	797

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
1150	520	1151	SCR 148 1657
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2063	2028	2063
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859, 970	762, 1650	859, 970, 1650	1650	1652	1652	Signed 2091 CH. 145 L. 1982
859, 970	762, 860	970	1454	1523	1546	Signed 2044 CH. 100 L. 1982
.....	762, 889
889	890	1277	1373	1408	Signed 2002 CH. 77 L. 1982
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797	1367	798, 1367	1366	1453	1454	Signed 2044 CH. 107 L. 1982

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of Committee	2nd Reading
	1st Reading Referral		
4698. Senator Scott: Prohibiting deductions in pay of certain public employees if constituting a political contribution for election of a candidate to public office.	520	.....	.....
4699. Senators McCaslin, Hansen, Metcalf, Gallagher, Jones, Haley, Deccio, Fuller, Clarke, Craswell, Hayner, Guess and Benitz: Requiring certain public assistance recipients to participate in community work experience projects.	532	.....	.....
4700. Senators McCaslin, Deccio, Gallagher and Metcalf: Placing television cable systems under the authority of the utilities and transportation commission.	532	.....	.....
4701. Senators Sellar and Ridder: Requiring health maintenance organizations to contribute to a reserve fund to cover insolvency.	532	686	831
4702. Senators Lysen, Shinpoch, Deccio, Metcalf and McDermott: Restricting former state employees going to work for a firm with which their agency had done business.	532	.....	.....
4703. Senators Vognild, Quigg and Bottiger: Modifying provisions relating to class K liquor licenses.	532	789	945
4704. Senators Guess, Hansen and von Reichbauer: Enacting the Multistate Highway Transportation Agreement.	533	.....	.....
4705. Senators Gallagher, Rasmussen, Shinpoch, Deccio, Metcalf, Quigg, Vognild and Haley: Authorizing the use of credit cards for state purchases.	533	1010	1314
4706. Senators Talley, Quigg and Gallagher: Renaming State Route 504 the Spirit Lake Memorial Highway and correcting its route description.	533	575	707
4707. Senators Kiskaddon and Wajahn: Making miscellaneous changes in school code including removal of obsolete sections.	533	668	.....
4707. (SUBSTITUTE) Committee on Education: Making miscellaneous changes in school code including removal of obsolete sections. ....	.....	.....	971
4708. Senators Jones, McDermott, Deccio, Bottiger, Benitz and McCaslin (by Horse Racing Commission request): Implementing laws relating to horse racing.	534	734	.....
4708. (SUBSTITUTE) Committee on Ways and Means: Implementing laws relating to horse racing. ....	.....	.....	986
4709. Senator Scott (by Office of Financial Management request): Adopting a supplemental budget.	547	.....	.....
4710. Senator Rasmussen: Authorizing a determination of the validity of a will before death of the testator.	547	.....	.....
4711. Senators Gallagher, Peterson, Fuller and Vognild: Modifying provisions relating to state timber contracts.	547	.....	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	
	1st Reading Referral	Report of Committee 2nd Reading
4712. Senators Quigg, Bottiger and Jones: Modifying provisions on the use of day labor for county road work.	547	.....
4713. Senators Patterson, Hansen, Zimmerman and Bottiger: Adjusting the distribution formula for the motor vehicle fund.	547	642 801
4714. Senators McCaslin, Talley and Zimmerman: Revising requirements of first class cities regarding public works contracts.	547	.....
4715. Senators Craswell, Hayner, Gaspard and Bottiger: Authorizing member representative of the private schools on the state board of education to vote. ...	547	.....
4716. Senator Clarke (by Secretary of State request): Revising filing procedures, fee schedules, and requirements for laws administered by secretary of state.	548	747
4716. (SUBSTITUTE) Judiciary Committee: Revising filing procedures, fee schedules, and requirements for laws administered by secretary of state. ....	.....	..... 915
4717. Senators Lee, Shinpoch and Metcalf: Giving free copies of state statutes and rules to legislative committees.	552	659, 2022, 2030, 2150 972
4718. Senators Moore, Haley and Metcalf: Revising laws regulating veterinarians.	552	686 891
4719. Senator Sellar: Authorizing acquisition by adjacent owners of certain state lands acquired from Milwaukee Railroad.	553	.....
4720. Senators Goltz, Metcalf and Conners: Modifying eligibility requirements for veterans' free license plates. .	553	.....
4721. Senators McDermott, Hemstad and Bottiger: Regulating contracts for health studio services.	553	.....
4722. Senator Rasmussen: Authorizing informal probate of estates.	553	.....
4723. Senator Benitz: Correcting a double amendment of RCW 66.24.500.	553	.....
4724. Senators Fuller, Moore and Guess: Exempting certain lands lying easterly of the Alaskan Way seawall from the Shoreline Management Act.	553	.....
4725. Senators Metcalf, Bauer, Kiskaddon, Haley, Wojahn, Hemstad, Quigg, Gallagher, Rasmussen, Gaspard and Craswell (by Governor Spellman request): Redefining certain functions relating to vocational education. ...	553	.....
4726. Senators Goltz, Gallagher and Peterson: Modifying provisions relating to game licenses.	554	814 1049
4727. Senator Rasmussen: Prohibiting interference with hunting.	554	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction		
	1st Reading Referral	Report of Committee	2nd Reading
4728. Senators Sellar and Wojahn: Authorizing the issuance of short-term obligations by municipal corporations.	554	747	.....
4728. (SUBSTITUTE) Committee on Financial Institutions and Insurance: Authorizing issuance of short-term obligations by municipal corporations. ....	.....	.....	972
4729. Senators Newhouse, Moore, Quigg, McDermott and Jones (by Liquor Control Board request): Implementing law relating to financial interests by banks, savings and loan associations and institutional investors in licensed retail business dealing with alcoholic beverages.	554	748	959
4730. Senators Newhouse, Quigg and Vognild (by Public Employment Relations Commission request): Modifying procedures governing unfair labor practices.	554	.....	.....
4731. Senator Metcalf: Abolishing educational service districts and transferring powers, duties and responsibilities heretofore concerned therewith.	554	.....	.....
4732. Senators Benitz, Shinpoch and Guess: Implementing law relating to vendor payments by treasurer for state board for community college education.	561	.....	.....
4733. Senator Hayner: Modifying certain methods of handling juvenile offenders.	561	659	757
4734. Senators Pullen and Woody: Protecting the privacy of applicants for public employment.	561	765	.....
4735. Senators Newhouse and Bauer: Allowing certain importers or wholesalers, not licensed by this state, or persons financially interested in the same, to have financial interest in liquor licensed retail business. .	561	.....	.....
4736. Senators Hemstad and Zimmerman: Prohibiting the abuse of substances containing toxic vapors or fumes.	561	734	973
4737. Senators Hemstad, Lee and Metcalf: Allowing exemption from attendance at public schools upon basis of religious or personal beliefs of person having custody of child.	561	.....	.....
4738. Senators Benitz, Guess and Hayner: Transferring overall administration of vocational education to the commission for vocational education.	561	1093	.....
4739. Senator Guess: Providing for monthly distribution to municipalities of local sales and use tax revenues. .	562	.....	.....
4740. Senators Bauer and Zimmerman: Authorizing counties to create the position of public guardian.	562	.....	.....
4741. Senators Clarke, Vognild, Hayner and Woody: Defining and limiting the Appearance of Fairness Doctrine. .	562	.....	.....
4742. Senators Quigg, Hayner and Vognild: Revising law relating to merchandise coupons.	562	.....	.....
4743. Senator Lee: Providing for the investment of surplus public funds.	562	668	801

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
.....	762, 972	.....	.....	.....	.....	.....
972	1424	973, 1424	1424	1604	1613	Signed 2293 CH. 216 L. 1982
959	915	959	SCR 148 1657
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758, 1759	1475, 1667	758, 1475, 1760	1474, SCR 148 1657, HCR 53 2647
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973	762	973	SCR 148 1657
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802	802	SCR 148 1657

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction		
	1st Reading Referral	Report of Committee	2nd Reading
4744. Senators Hemstad, Clarke and Talmadge: Making miscellaneous changes regarding judgments.	576	.....	.....
4745. Senator Quigg (by Department of Employment Secretary request): Authorizing payment of shared work unemployment insurance benefits.	576	748	943
4746. Senator Newhouse: Exempting land sold by a port district from the five-year short plat restriction. ...	576	.....	.....
4747. Senators Benitz, Charnley and Newhouse: Enlarging scope of domestic winery license.	576	789	.....
4748. Senators Benitz, Charnley and Newhouse: Permitting breweries and wineries to conduct courses in beer and wine.	576	686, 2009, 2018	974
4749. Senators Haley, Wojahn, Lee, Gould and Hayner: Repealing voter qualifications previously found unconstitutional.	576	723	975
4750. Senators Scott, Goltz and von Reichbauer (by Department of Licensing request): Authorizing department of licensing to enter into nonresident violators compact.	576	814	.....
4750. (SUBSTITUTE) Committee on Transportation: Authorizing department of licensing to enter into nonresident violators compact. ....	.....	.....	998
4751. Senators Lysen, Talley and Sellar: Providing free fishing licenses to persons confined to wheelchairs. .	577	.....	.....
4752. Senators McDermott, Deccio, Moore, Talmadge, Fleming, Ridder, Charnley and Shipoch: Authorizing bonds for an acute care psychiatric facility.	577	.....	.....
4753. Senators Hansen, Wilson and Vognild: Authorizing wildlife agents to enforce trespass laws.	577	.....	.....
4754. Senators Rasmussen, Metcalf and Gaspard: Authorizing private nonprofit salmon hatcheries. ...	577	.....	.....
4755. Senators Benitz, Charnley and Newhouse: Authorizing domestic wineries to serve wine at special occasion class J license events.	577	790	.....
4755. (SUBSTITUTE) Committee on Commerce and Labor: Authorizing domestic wineries to serve wine at special occasion class J license events. ....	.....	.....	952
4756. Senator Haley: Implementing qualifications for appointment to community college boards of trustees and providing for removal from such boards.	577	.....	.....
4757. Senators Fuller, Conner and Haley: Designating a portion of a state-employed chaplain's salary as rental value for a home.	577	734	.....
4758. Senators Quigg and Bottiger: Modifying penalties on violations of competitive bidding requirements.	577	1010	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of Committee	2nd Reading
	1st Reading Referral		
4759. Senators Voguild, Newhouse, Woody, Moore and Sellar: Implementing law relating to control of gambling.	577	748	.....
4759. (SUBSTITUTE) Committee on Commerce and Labor: Implementing law relating to the control of gambling. ....	.....	.....	924
4760. Senators Gould, Metcalf, Woody and Charnley: Exempting nonprofit corporations providing transit services to elderly and handicapped from motor vehicle fuel tax on fuel used for these purposes.	593	928	.....
4761. Senators Gallagher, Voguild and Haley: Authorizing certain release-recapture salmon facilities.	593	.....	.....
4762. Senator Williams: Providing for current use valuation of lands with water dependent uses.	594	.....	.....
4763. Senators Hansen and Benitz: Modifying provisions relating to alcoholic beverage businesses.	594	.....	.....
4764. Senator Rasmussen: Directing completion of Naches Pass tunnel and cut-off through the Cascades.	594	.....	.....
4765. Senator Charnley: Authorizing local government self-insurers to provide property insurance.	594	.....	.....
4766. Senators Hayner, Woody, Pullen, Conner, Bauer and Guess: Revising law on compensation for taking of property by governments.	594	.....	.....
4767. Senators Newhouse, Sellar, Deccio and Guess: Modifying provisions relating to industrial insurance.	594	.....	.....
4768. Senator Goltz: Permitting motor vehicle excise taxes on big trucks to be prorated on a monthly basis.	594	.....	.....
4769. Senators Lee, Wojahn, Gould, Scott, Shinpoch, Haley, Ridder, McDermott, Woody, Fleming, Craswell and Bluechel: Requiring higher education personnel's and state employees' salaries to be adjusted to achieve comparable worth.	594	790	939
4770. Senator Rasmussen: Providing residential property tax relief.	595	.....	.....
4771. Senator Hansen: Authorizing lease of lands along John Wayne Trail.	595	.....	.....
4772. Senators Kiskaddon and Gaspard: Providing for institutional education of juveniles.	595	.....	.....
4773. Senators Newhouse and Sellar: Permitting coverage of industrial insurance by private insurers.	617	.....	.....
4774. Senators Clarke, Talley and Hemstad: Modifying provisions on court fees.	595	.....	.....
4775. Senators Newhouse and Shinpoch: Expanding duties of state patrol section in identification.	595	765	.....
4775. (SUBSTITUTE) Judiciary Committee: Expanding duties of state patrol section in identification. ....	.....	.....	950
4776. Senators McCaslin, Lee and Bottiger: Revising procedures for notice of hearings by planning agencies.	595	1003	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	
	1st Reading Referral	Report of Committee 2nd Reading
4777. Senators Deccio, Talmadge and Metcalf (by Department of Corrections request): Modifying time limits for furloughs for residents of state correctional institutions.	595	.....
4778. Senators Deccio, Talmadge and Metcalf (by Department of Corrections request): Authorizing request of local law enforcement agencies assistance during prison riots.	595	.....
4779. Senators Deccio, Metcalf and Moore (by Department of Corrections request): Providing for warrants of arrest for escaped prisoners.	595	.....
4780. Senators Deccio, Talmadge and Metcalf (by Department of Corrections request): Authorizing the secretary of corrections to enter into interstate corrections compacts.	596	.....
4781. Senator Zimmerman (by State Auditor request): Revising laws regulating audits of municipal corporations.	596	.....
4782. Senators Deccio, Talmadge and Metcalf (by Department of Corrections request): Modifying the methods for determining if released or paroled prisoners have sufficient funds.	596	.....
4783. Senators Conner and Sellar: Implementing law relating to control of gambling activities by bona fide charitable or nonprofit organizations.	596	.....
4784. Senators Deccio, Talmadge and Metcalf (by Department of Corrections request): Defining correctional institutions that contain prisoners sentenced from other jurisdictions.	596	.....
4785. Senators Deccio, Metcalf and Moore (by Department of Corrections request): Providing additional conditions for prisoners' leave of absence.	596	.....
4786. Senators Lee, Hayner, Deccio, Scott and Wojahn: Modifying community mental health services act. ...	596	963
4786. (SUBSTITUTE) Committee on Social and Health Services: Modifying community mental health services act. ....	.....	..... 1081
4787. Senators Talmadge, Charnley, McDermott, Bauer, Wojahn, Shinpoch, Moore, Vognikl, Goltz, Williams, Gaspard, Ridder and Hughes: Enacting community mental health services act.	597	.....
4788. Senators Peterson, Gallagher and Talley: Modifying provisions relating to timber sales.	598	.....
4789. Senator Pullen: Restricting ability of elected public officials to mail campaign materials at public expense.	598	765
4790. Senators Zimmerman and Wilson: Relating to local government.	598	.....
4791. Senator Zimmerman: Relating to sewer districts. ...	598	.....
4792. Senator Wilson: Relating to local government.	598	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of Committee	2nd Reading
	1st Reading Referral		
4793. Senator Zimmerman: Relating to tax increment obligations.	598	.....	.....
4794. Senators Zimmerman and Voguild: Relating to port district fire protection.	598	.....	.....
4795. Senator Gould: Relating to utility taxes.	598	.....	.....
4796. Senator Newhouse: Relating to water resources.	598	.....	.....
4797. Senator Newhouse: Relating to livestock.	598	.....	.....
4798. Senators Clarke and Talmadge: Modifying provisions relating to homesteads.	598	.....	.....
4799. Senators Williams and Bottiger: Relating to a fund to guarantee termination funds for nuclear plants.	598	.....	.....
4800. Senator Moore: Relating to consolidation of Puget Sound port districts.	599	.....	.....
4801. Senator Zimmerman: Relating to special purpose districts.	599	.....	.....
4802. Senator Zimmerman: Relating to community redevelopment financing.	599	.....	.....
4803. Senators Zimmerman and Lee: Relating to investment pooling.	599	.....	.....
4804. Senator Zimmerman: Relating to local districts.	599	.....	.....
4805. Senator Zimmerman: Relating to water districts.	599	.....	.....
4806. Senator Bottiger: Relating to public utility district excise taxes.	599	.....	.....
4807. Senators Williams and Bottiger: Relating to utility taxes.	599	.....	.....
4808. Senator Bottiger: Relating to public utility district excise taxes.	599	.....	.....
4809. Senators Williams and Bottiger: Relating to utility taxes on the telephone business.	599	.....	.....
4810. Senator Gould: Relating to utility taxes.	599	.....	.....
4811. Senators Williams and Bottiger: Relating to utility taxes on the telephone business.	599	.....	.....
4812. Senator Bottiger: Relating to public utility district excise taxes.	599	.....	.....
4813. Senator Bottiger: Relating to utility taxes on the telephone business.	599	.....	.....
4814. Senator Zimmerman: Relating to the funding of municipal conference centers.	599	.....	.....
4815. Senator Peterson: Relating to oil sales.	599	.....	.....
4816. Senators McCaslin, Hansen, Sellar, Deccio and Metcalf: Modifying factors to be considered in assessments for property tax purposes.	600	964	.....
4817. Senators Bottiger, Gaspard and Charnley: Increasing the time for a person to respond to a notice of a traffic infraction.	600	.....	.....
4818. Senator Bottiger: Applying provisions on public employees' collective bargaining to joint operating agencies.	600	.....	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction		Report of Committee	2nd Reading
	1st Reading	Referral		
4819. Senators Hemstad, Wojahn, Gould, Haley, McCaslin, Fuller, Benitz and Sellar: Clarifying laws regulating driving offenses including drunk driving.	600		748	.....
4819. (SUBSTITUTE) Judiciary Committee: Clarifying laws regulating driving offenses including drunk driving. ....	.....	.....	.....	919
4820. Senators Haley and Zimmerman: Revising computation of allowances for certain retired public employees. .	600	.....	.....	.....
4821. Senators Haley and Wojahn: Exempting sales of materials for public facilities under construction by December 1, 1981 from sales and use tax.	601	.....	.....	.....
4822. Senator Haley: Authorizing sale to public of articles made by inmates of institutions.	601	.....	.....	.....
4823. Senators Peterson, Gallagher, Metcalf, Talley and Conner: Requiring purchase of domestic wood products for public works projects.	601	.....	.....	.....
4824. Senators Gallagher, Zimmerman and Peterson: Providing separate chapters of laws of aquatic lands.	601		814	.....
4824. (SUBSTITUTE) Committee on Natural Resources: Providing separate chapters of laws of aquatic lands. ....	.....	.....	.....	938, 946, 1760
4825. Senators McDermott, Bottiger, Fleming, Bauer and Vognild: Revising laws relating to public depositories.	604	.....	.....	.....
4826. Senators Patterson, Gallagher, Peterson and Hansen: Modifying provisions relating to lights on law enforcement vehicles.	604		723	.....
4826. (SUBSTITUTE) Committee on Transportation: Modifying provisions relating to lights on law enforcement vehicles. ....	.....	.....	.....	834
4827. Senators Sellar and Wojahn (by Department of General Administration request): Revising laws relating to credit unions.	604	.....	.....	.....
4828. Senators Sellar and Wojahn (by Department of General Administration request): Revising fees for bank examinations.	605	.....	.....	.....
4829. Senators McDermott and Charnley: Requiring gasoline price posting.	605	.....	.....	.....
4830. Senators Newhouse and Hansen: Applying marketing contract provisions to foreign agricultural cooperative associations.	605		734	.....
4831. Senators Jones, Bottiger, Vognild, Bauer, Quigg and Sellar: Designating shorelines of state-wide economic significance.	605		748	835
4832. Senator Scott: Modifying laws governing office of administrative hearings.	605	.....	.....	.....
4833. Senator Scott: Modifying procedures on voter's pamphlet statements.	605	.....	.....	.....
4834. Senators Bauer, Kiskaddon and Moore: Reducing marriage license waiting period to one day.	606	.....	.....	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction		Report of Committee	2nd Reading
	1st Reading	Referral		
4835. Senators Bluechel, Williams, Fuller and Hughes: Increasing maximum fine for air pollution violations.	606			
4836. Senator Bauer: Relating to common school funding.	606			
4837. Senator Bauer: Relating to parental involvement in public schools.	606			
4838. Senator Bauer: Relating to basic skills remediation.	606			
4839. Senators Bauer and Charnley: Relating to special education.	606			
4840. Senator Fuller: Relating to a privilege tax on city-owned utilities.	606			
4841. Senator Bluechel: Relating to winter recreation.	606		1221	
4841. (SUBSTITUTE) Committee on Ways and Means: Modifying provisions relating to winter recreation.				1734
4842. Senators Clarke and Talmadge: Modifying provisions on the criminal justice training commission.	617			
4843. Senator Scott: Mandating the passing of certain examinations before accrediting or renewing accreditation of school personnel.	617			
4844. Senators McDermott and Williams: Establishing the Washington energy conservation and development commission.	617			
4845. Senators Pullen and Clarke: Restricting the use of absentee ballots to certain circumstances.	618		642	
4846. Senators Wilson, Newhouse and Hansen: Authorizing the department of ecology to acquire and operate the Lake Osoyoos International Water Control Structure.	618		734	
4846. (SUBSTITUTE) Committee on Agriculture: Authorizing department of ecology to acquire and operate Lake Osoyoos International Water Control Structure.				986
4847. Senator McDermott: Creating a deinstitutionalization subsidy program for parents of institutionalized persons.	618			
4848. Senators Sellar and Haley: Modifying provisions relating to health care insurance.	619			
4849. Senator McDermott: Establishing a reduced worktime program for state employees.	619			
4850. Senator Scott: Imposing restrictions on lobbying in public agencies and institutions.	619			
4851. Senators McDermott, Deccio, Talmadge and Wojahn: Providing for coordination of public facilities in dealing with the problems of children and their families.	619			
4852. Senators Hansen, Newhouse and Wilson: Modifying provisions on delinquent irrigation district assessments.	619		734	
4852. (SUBSTITUTE) Committee on Agriculture: Modifying provisions of delinquent irrigation district assessments.				976

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
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.....	975
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.....	1190, 1694, 1734
.....	Signed 2771 CH. 27
1734	1734	2086	2087	2095	L. 1982 E1
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.....	637, 985
.....	Signed 2002 CH. 76
986	986	1277	1386	1408	L. 1982
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.....	975
.....	Signed 2044 CH. 102
976	976	1277	1386	1408	L. 1982

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of	
	1st Reading Referral	Committee	2nd Reading
4853. Senator McDermott: Enacting the Washington Plain Language Consumer Contracts Act.....	619	.....	.....
4854. Senator Conner: Establishing Olympic county.	619	1222	.....
4855. Senators McDermott, Goltz, Williams, Shinpoch, Ridder, Wojahn, Bauer and Fleming: Imposing an annual property tax on certain intangible personal property.	619	.....	.....
4856. Senators Goltz, Kiskaddon and Wilson: Augmenting existing mental health services in border counties...	620	.....	.....
4857. Senators McDermott, Ridder and Hughes: Providing for licensure of construction equipment operators. . .	620	.....	.....
4858. Senators Goltz and Guess: Requiring agencies to review administrative rules.	620	.....	.....
4859. Senators Guess, McCaslin, Hurley and Moore: Permitting prepayment of retail sales and use taxes imposed by cities, counties, and metropolitan municipal corporations.	620	909	.....
4859. (SUBSTITUTE) Committee on Local Government: Permitting prepayment of retail sales and use taxes imposed by cities, counties, and metropolitan municipal corporations. ....	.....	.....	1048
4860. Senators Benitz and Deccio: Enabling local civil service commissioners to decide frequency of meetings.	620	.....	.....
4861. Senator Scott: Requiring insurance agents and brokers to carry insurance for errors and omissions.....	620	.....	.....
4862. Senators McDermott, Vognild, Fleming, Hughes, Ridder, Wojahn, Shinpoch, Woody, Deccio, Metcalf, Rasmussen, Charnley, Peterson, Conner, Talley, Gaspard, Bottiger, Williams, Bauer, Hansen, Hurley, Lysen and Talmadge: Providing emergency unemployment compensation benefits and revising the method of employer tax contributions.	620	.....	.....
4863. Senators Kiskaddon, Goltz, Shinpoch, Hemstad and Charnley: Regulating smoking in certain public places.	620	.....	.....
4864. Senators Goltz and Kiskaddon: Relating to school districts purchasing school sites owned by the department of natural resources or leasing the sites at fair rental value.	621	1044	.....
4864. (SUBSTITUTE) Committee on Local Government: Mandating opportunity to purchase certain lands from department of natural resources by certain educational institutions renting therefrom and having placed improvements thereon.....	.....	.....	1162, 1784
4865. Senators Pullea, Bottiger, Bauer, Lysen, Haley, Moore, Wojahn, Hurley, Fuller, Kiskaddon, Hayner, McDermott, Charnley, Woody, Zimmerman, Conner, Vognild, Ridder, Talley, Peterson, Metcalf, Lee, Gallagher, Craswell, Goltz, Gaspard, Benitz and McCaslin: Providing for the continuation of individually assigned Washington state patrol vehicles.	621	748	.....
4866. Senator Guess: Relating to certain motor vehicle business practices.....	621	.....	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of	
	1st Reading Referral	Committee	2nd Reading
4867. Senators Hemstad and Clarke: Authorizing the forced sale of homestead property for debts incurred through fraud.....	621	.....	.....
4868. Senator Charnley: Increasing the maximum rate of local motor vehicle excise tax.	621	.....	.....
4869. Senators Gaspard and Goltz: Enacting the Fair Campaign Code.	621	.....	.....
4870. Senators Gould and Newhouse: Providing B&O tax credits for businesses locating in areas of high unemployment.	621	.....	.....
4871. Senators Bluechel and Newhouse: Providing industrial insurance tax exemptions for business locating in areas of high unemployment.	621	.....	.....
4872. Senators Rasmussen and Peterson: Modifying provisions relating to commercial fishermen.	621	.....	.....
4873. Senators Bottiger and Haley: Authorizing hospitals and physicians to render emergency care without necessity of patient consent.	622	.....	.....
4874. Senators Moore, Hansen, Goltz, Bottiger, Woody, Conner, Vognild, Gaspard, Ridder, Wojahn, Bauer, Talley and Charnley: Providing assistance for small businesses to obtain investment capital.	622	.....	.....
4875. Senators Zimmerman, Vognild and Lee: Requiring port districts to contract with fire protection districts for property located within a city or town.	622	.....	.....
4876. Senators Moore, Hansen, Goltz, Ridder, Wojahn, Bauer, Woody, Charnley, Vognild, Conner, Talley, Gaspard and Bottiger: Providing a program in support of small businesses.	622	.....	.....
4877. Senators Newhouse and Lee: Authorizing the expenditure of certain bond moneys for new sewer lines. . .	622	814	1135
4878. Senator Charnley: Removing certain restrictions on the use of motor vehicle excise tax revenues for public transportation.	622	.....	.....
4879. Senator Bauer: Relating to the issuance of revenue bonds and other revenue obligations by the state and political subdivisions and municipal corporations of the state.	622	.....	.....
4880. Senator Scott: Relating to the capital budget.	622	.....	.....
4881. Senators Guess, Hurley and McCaslin: Relating to public assistance.	622	.....	.....
4882. Senator Rasmussen: Relating to metropolitan park districts.	622	.....	.....
4883. Senator Gallagher: Relating to fisheries' economic recovery.	622	.....	.....
4884. Senators Charnley and Kiskaddon: Relating to referendum 26 bonds.	623	.....	.....
4885. Senator Scott: Relating to revisions of the budget and accounting act.	623	.....	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of	
	1st Reading Referral	Committee	2nd Reading
4886. Senator Bauer: Relating to savings and loan associations.	623	.....	.....
4887. Senator Scott: Relating to excise taxes.....	623	.....	.....
4888. Senator Talmadge: Relating to corrections.	623	.....	.....
4889. Senators Hemstad and Clarke: Relating to pornography.	623	.....	.....
4890. Senator Scott: Relating to public works.	623	.....	.....
4891. Senators Wilson, Patterson, Zimmerman and Vognild: Relating to equalizing county revenues.....	623	.....	.....
4892. Senators Talley and von Reichbauer: Relating to pilotage.	623	.....	.....
4893. Senator Scott: Relating to transfers between state retirement systems.	623	.....	.....
4894. Senator McCaslin: Relating to real estate brokers and salesmen.	623	.....	.....
4895. Senator Pullen: Relating to campaign materials. ...	623	.....	.....
4896. Senator Pullen: Relating to public disclosure.	623	.....	.....
4897. Senators Bottiger and Clarke: Relating to leasing of personal property.	623	.....	.....
4898. Senator Metcalf: Relating to congressional reapportionment and redistricting and providing for a commission.....	623	668	.....
4899. Senator Metcalf: Relating to congressional reapportionment and redistricting.....	624	668	.....
4900. Senator Metcalf: Relating to congressional reapportionment and redistricting and providing for a commission.....	624	.....	.....
4901. Senator Metcalf: Relating to congressional reapportionment and redistricting.....	624	.....	.....
4902. Senators Quigg and Vognild: Revising manufactured home laws.	624	790	.....
4903. Senator Gallagher: Modifying appropriations to the interagency committee for outdoor recreation.	625	.....	.....
4904. Senator Williams: Regulating the setting of hot water heaters.	625	.....	.....
4905. Senators Lee, Bauer and Wilson: Modifying provisions relating to the governing bodies of merged special purpose districts.	625	700	976
4906. Senator McCaslin: Prohibiting the board of health from requiring certain dwellings be connected to a municipal sewer facility.....	625	.....	.....
4907. Senators Rasmussen, Jones and Deccio: Increasing additional tonnage for garbage trucks.....	625	700	994
4908. Senators Gould, Bauer, Wojahn and Zimmerman: Modifying the definition of earnable compensation for the teacher's retirement system.	625	.....	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	Report of	
	1st Reading Referral	Committee	2nd Reading
4909. Senator Fuller: Modifying provisions relating to the solid waste advisory committee.	625	723	924
4910. Senators Metcalf, Rasmussen, Peterson, Talley, Deccio and Gallagher: Providing for equal access to the state's salmon resources.	625	.....	.....
4911. Senators Kiskaddon and Gaspard: Mandating certain school board action when building housing students is unsafe due to seismic hazard.	626	.....	.....
4912. Senators Metcalf and Vogtild: Providing for school community recreation districts.	626	.....	.....
4913. Senators Moore and Talmadge: Providing dental care for the developmentally disabled.	626	.....	.....
4914. Senators Zimmerman, Talley and Bauer: Creating the Columbia River Gorge review commission.	626	.....	.....
4915. Senators Fleming, Ridder and McDermott: Providing for neighborhood assistance.	626	.....	.....
4916. Senator Metcalf: Specifying liability for diminished value of private property resulting from altered drainage.	626	.....	.....
4917. Senator Kiskaddon: Redefining superintendent of public instruction position on state board of education.	627	790	.....
4917. (SUBSTITUTE) Committee on Education: Redefining superintendent of public instruction position on state board of education. ....	.....	.....	998
4918. Senators Zimmerman, Charnley and Fuller: Requiring an environmental impact statement to be filed before certain types of pesticides may be used.	627	.....	.....
4919. Senators Quigg, Hemstad and Fuller (by Department of Employment Security request): Making an appropriation to the employment security department.	627	748	996
4920. Senators Newhouse and Shinpoch: Authorizing service requirements for retirement purposes for school classified employees to be met while on customary vacation periods or holiday recesses.	627	.....	.....
4921. Senators Williams and Lysen: Permitting a political candidate to register at either his abode, his workplace, his own business, or his property.	627	.....	.....
4922. Senators Zimmerman and Bauer: Causing unused mineral rights to revert to the owner of the surface property.	627	.....	.....
4923. Senators Williams and Charnley: Regulating pistols.	627	.....	.....
4924. Senator Hayner: Relating to public employment.	627	.....	.....
4925. Senator Hayner: Relating to industrial development districts.	627	.....	.....
4926. Senator Hayner: Relating to the teachers' retirement systems.	628	.....	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction 1st Reading Referral	Report of Committee	2nd Reading
4927. Senator Newhouse: Relating to water rights.	628		
4928. Senator Newhouse: Relating to irrigation.	628		
4929. Senator Newhouse: Relating to oil and gas.	628		
4930. Senators Zimmerman and Patterson: Relating to the retail sales tax on food.	628		
4931. Senator Hayner: Relating to compensation of public employees.	628		
4932. Senator Hayner: Relating to the teachers' retirement system.	628		
4933. Senator Newhouse: Relating to agricultural lands. . .	628		
4934. Senator Vognild: Relating to domestic processing of state timber.	628		
4935. Senator Newhouse: Relating to public pensions.	628		
4936. Senator Metcalf: Relating to legislative reapportionment and redistricting.	628		
4937. Senator Metcalf: Relating to legislative reapportionment and redistricting.	628		
4938. Senator Zimmerman: Relating to the public employees' retirement system.	628		
4939. Senator Quigg: Adding mobile home sites to application of condominium law.	628		
4940. Senators Sellar and Quigg: Requiring surplus in workers' compensation contingency reserve fund be used to reduce premium increases.	628		
4941. Senators Quigg and Moore: Revising laws relating to mobile homes.	629		
4942. Senator Talmadge: Modifying provisions relating to insurance.	629		
4943. Senator Newhouse: Modifying employer funding provisions of the law enforcement officers' and fire fighters' retirement system.	629		
4944. Senators Gallagher, Zimmerman, Guess, Hansen, Peterson and Newhouse: Modifying provisions on oil and gas.	629	991	
4944. (SUBSTITUTE) Committee on Ways and Means: Modifying provisions on oil and gas and imposing oil and gas severance and conservation taxes.			1064, 1066, 1077, 1080
4945. Senators Gallagher, Talley, Zimmerman, Quigg and Peterson: Modifying provisions on the sale of materials from public lands.	630		
4946. Senators Quigg, Hemstad and Fuller (by Department of Employment Security request): Authorizing certain employer contributions to be used for employment security job service funding.	630		
4947. Senator Newhouse (by Board of Industrial Insurance Appeals request): Revising procedures for appeals regarding industrial insurance.	630	790	953, 957, 966

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction		Report of Committee	2nd Reading
	1st Reading	Referral		
4948. Senators Quigg, Vognild and Talley: Extending lien law to include marina operators and cover dockage for boats.	630	.....	.....	.....
4949. Senator Newhouse: Modifying provisions on public employees retirement.	630	.....	.....	.....
4950. Senators Quigg, Talley, McCaslin, Patterson, Zimmerman, Metcalf and Benitz: Authorizing the suspension of sales and use taxes in certain counties.	631	.....	.....	.....
4951. Senators Scott, Decclo and Lee: Providing assistance to victims and witnesses of crime.	631	.....	.....	.....
4952. Senator von Reichbauer: Authorizing a metropolitan municipal corporation to charter an electric streetcar on rails operating within a city.	631	.....	701	893
4953. Senators Pullen, Ridder, Talmadge, Vognild and Craswell: Providing a volunteer counseling program by ex-offenders for incarcerated offenders.	631	.....	.....	.....
4954. Senators Coaner and Quigg: Revising laws relating to labor relations concerning public employees.	631	.....	.....	.....
4955. Senator Talmadge: Modifying technical provisions and procedures of the state excise and property tax laws.	631	.....	.....	.....
4956. Senators Williams, von Reichbauer, Charnley and Hansen: Regulating the disposition of historic ferries.	632	.....	749	976
4957. Senators Goltz and Guess: Implementing law relating to tuition and fees at institutions of higher education.	632	.....	.....	.....
4958. Senator Talmadge: Providing emergency procedures to relieve prison overcrowding.	632	.....	.....	.....
4959. Senators von Reichbauer and Pullen: Revising references to precincts.	632	.....	723	.....
4960. Senator Kiskaddon: Authorizing superintendent of public instruction to delegate powers and duties.	632	.....	723	.....
4961. Senators Quigg, Goltz, Metcalf, McCaslin and Benitz: Requiring proof of the payment of tax before the commencement of certain actions.	633	.....	.....	.....
4962. Senators Quigg and Guess: Delineating services which may be performed under employment and training programs for recipients of public assistance.	633	.....	.....	.....
4963. Senators von Reichbauer and Talley: Relating to port districts.	633	.....	701	.....
4963. (SUBSTITUTE) Committee on Transportation: Authorizing an extended industrial development levy by port districts. ....	.....	.....	.....	1130
4964. Senator Talley: Relating to port districts.	633	.....	.....	.....
4965. Senator Newhouse: Relating to public officials.	633	.....	.....	.....
4966. Senator Newhouse: Relating to public employee collective bargaining.	633	.....	.....	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction	
	1st Reading Referral	Report of Committee 2nd Reading
4967. Senator Fuller: Relating to air pollution.....	633	.....
4968. Senator Craswell: Relating to the state liquor control board.	633	.....
4969. Senator Craswell: Relating to property taxation. ...	633	.....
4970. Senator Lee: Relating to protection for law enforcement officers.	633	.....
4971. Senator Zimmerman: Relating to cities.	633	.....
4972. Senator Zimmerman: Relating to local government finance.	633	2487, 2508, 2514, 2516, 2536, 2539
4973. Senator Zimmerman: Relating to local government.	633	.....
4974. Senator Lee: Relating to course instruction in community colleges.	633	.....
4975. Senator Newhouse: Relating to public pensions.	633	.....
4976. Senator Quigg: Relating to economic development. .	634	.....
4977. Senator Zimmerman: Relating to reincorporation of cities.	634	.....
4978. Senator Vognild: Revising procedures for registering rebuilt motor vehicles.	634	.....
4979. Senator Quigg: Relating to economic development. .	634	.....
4980. Senators Vognild, Ridder, Talmadge, Williams, Fleming and Charnley: Relating to certain financial assistance to small businesses and owner-occupied family housing.	634	.....
4981. Senators Moore and Quigg: Relating to small power facilities.	634	.....
4982. Senator Talley: Relating to interstate banking.	634	.....
4983. Senator Hayner: Relating to property revaluation. ...	634	.....
4984. Senator Quigg: Relating to economic development. .	634	.....
4985. Senators McDermott, Charnley, Goltz and Hansen: Relating to tuition and fees for institutions of higher education.	634	.....
4986. Senators Williams, Talmadge and Hurley: Permitting the owner of destroyed property to recover both replacement cost and value of loss of its use.	634	.....
4987. Senator Quigg: Extending certain collective bargaining laws for public employees to apply to all cities and towns.	634	.....
4988. Senator Talley: Continuing the state board on geographic names.	634	.....
4989. Senators Hayner, Conner, Pullen and McCaslin: Providing for litigation expenses in actions challenging government regulation of private property.	635	.....
4990. Senators Fleming, Ridder and McDermott: Providing for cooperative economic development.	635	.....
4991. Senator Zimmerman: Establishing a state medical examiner system.	635	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction		2nd Reading
	1st Reading	Report of Committee	
	Referral		
4992. Senators Hayner and Scott: Modifying tax advisory council.	1681	1764	1994
4993. Senator Lee: Relating to cost control measures for local governments.	1704	.....	.....
4994. Senator Lee: Relating to cost control measures for state government.	1704	.....	.....
4995. Senator Gould: Relating to joint operating agencies.	1704	.....	2531
4996. Senator Gould: Relating to joint operating agencies.	1704	.....	2577
4997. Senator Gould: Relating to public utility districts. ...	1704	.....	.....
4998. Senator Gould: Relating to public utility districts. ...	1704	.....	.....
4999. Senator Gould: Relating to utilities.	1704	.....	.....
5000. Senator Gould: Relating to utilities.	1705	.....	.....
5001. Senator Gould: Relating to revenue and taxation to provide for local government services.	1738	.....	.....
5002. Senator Hayner: Relating to civil service reform and employee performance incentives.	1755	.....	.....
5003. Senator Hayner: Relating to tuition and user fees. .	1755	.....	.....
5004. Senator Hayner: Relating to agency consolidations and eliminations.	1755	.....	.....
5005. Senator Hayner: Relating to basic education.	1755	.....	.....
5006. Senators Gould and Scott: Relating to legislative salaries.	1755	2029	.....
5006. (SUBSTITUTE) Committee on Ways and Means: Delaying legislative salary increases. ....	.....	.....	2156
5007. Senator Scott: Relating to compensation for public employees.	1755	2096, 2219	.....
5007. (SUBSTITUTE) Committee on Ways and Means: Modifying provisions relating to vacation leave for public employees. ....	.....	.....	2157, 2160
5008. Senators Peterson and Talley: Modifying definition of "member" for gambling enforcement purposes.	2656	.....	.....
5009. Senators Charnley, Conner, Haley, Williams, Goltz, Shinpoch, Talmadge and Woody: Exempting food banks from the sales and use tax on food.	2656	.....	.....
5010. Senator Talley: Appropriating funds for chore services program of department of social and health services.	2656	.....	.....
5011. Senator Peterson: Extending state route 530.	2659	.....	.....
5012. Senators Shinpoch, Scott and McDermott: Modifying the public utility tax deduction on interstate transportation and transmissions.	2714	.....	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction 1st Reading Referral	Report of Committee	2nd Reading
5012. Not introduced. ....	.....	.....	.....
5013. Senators Shinpoch, Gould and McDermott: Taxing consumption and use of electrical energy.	2662	.....	2662
5014. Senators Shinpoch, Gould, Scott and McDermott: Modifying taxation of electrical energy.	2661	.....	2661
5015. Senators Shinpoch, Scott and McDermott: Increasing insurance premiums tax.	2660	.....	2660
5016. Senators Scott and McDermott: Delaying inventory tax credit for 1983.	2662	.....	2662
5017. Senators Vognild, Quigg, Talmadge, Shinpoch, Charnley, Bauer, Goltz, Conner, Hughes, Hurley, Ridder, Gaspard, Williams and Talley: Providing for unemployment compensation benefits for shared work. . .	2670	.....	.....
5018. Senator Moore: Modifying provisions relating to early retirement from public employment.	2670	.....	.....
5019. Senators Metcalf, Lysen, Gallagher, von Reichbauer, Craswell, Haley and Hurley: Prohibiting state employees and officials from receiving a salary higher than the governor's.	2670	.....	.....
5020. Senators McCaslin and Metcalf: Exempting food purchased for free distribution by nonprofit organizations from sales and use taxation.	2670	.....	.....
5021. Senator Scott: Modifying appropriations for the 1981-1983 fiscal biennium.	2671	.....	2671
5022. Senators Bauer, Zimmerman, Benitz, Hughes and Talley: Reducing fee for nonresident sales tax exemption permits.	2714	.....	.....
5023. Senator Metcalf: Authorizing school districts to reduce school year up to ten days and to negotiate reduction of certificated employees' compensation proportionately.	2714	.....	.....
5024. Senator Metcalf: Limiting expenditure of state funds to satisfy federal court-ordered obligations.	2715	.....	.....
5025. Senator Metcalf: Imposing a tax on X-rated materials.	2715	.....	.....
5026. Senators Deccio, Newhouse and Guess: Modifying provisions relating to medical care.	2715	.....	.....
5027. Senators Scott and McDermott: Modifying excise taxes and extending the sales and use taxes to cable television businesses.	2714	.....	.....
5028. Senator Lee: Modifying provisions relating to the budget and accounting act.	2714	.....	.....

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR, SUBJECT	Introduction 1st Reading Referral	Report of Committee	2nd Reading
5029. Senator Benitz: Authorizing higher education tuition surcharges.	2758	.....	2758
5030. Senators Gould, Hemstad, Bottiger, Lee, Hurley and Williams: Modifying the taxation of low-level radioactive waste disposal.	2755	.....	2755
5032. Senators Scott and McDermott: Modifying excise taxes.	2760	.....	2760
5033. Senators Lee and Craswell: Modifying allotment procedures.	2761	.....	2761

TITLE AND HISTORY OF SENATE BILLS

3rd Reading	Other Action	Vote on Final Passage	House Message	Signed by President of Senate	Signed by House Speaker	Action by the Governor
2759	2759	2760	.....	.....	.....	..... Signed 2772
2755	.....	2755	2763	2763	2764	L. 1982 E2 Signed 2772
2760	.....	2760	2764	2764	2764	L. 1982 E2 Signed 2772
2763	2763	2763	2764	2764	2764	L. 1982 E2 CH. 15

TITLE AND HISTORY OF SENATE JOINT MEMORIALS

NUMBER, SPONSOR AND SUBJECT	Introduction First Reading and Committee Referral	Report of Committee
110. Senators Gallagher, Peterson and Conner: Requesting federal funding of fish enhancement projects.		
113. Senators Moore, Pullen, Peterson, Ridder, McDermott, Talley, Fleming and Hughes: Memorializing the President and Congress to pursue modification of federal reserve board monetary policies.	38	
114. Senator Moore: Requesting congressional appropriations for salmon enhancement activities.	45	
115. Senators Bauer, Patterson, Talley, Hansen, Quigg, Benitz, Sellar, Hayner and Zimmerman: Opposing the imposition of user fees to fund federal navigation projects.	452	589
116. Senators Williams, Gould, Lysen, Hurley, Conner, Wojahn, Ridder, Charnley, Vognild, McDermott, Goltz, Wilson, Bauer, Talmadge and Gaspard: Requesting modification of federal policies on high-level radioactive wastes.	452	589
117. Senators Hansen, Guess, Benitz and Bauer: Requesting that federal charges on small hydroelectric power projects be lifted.	503	
118. Senators Hansen, Patterson, Hemstad, Charnley, Benitz and Goltz: Petitioning Congress to oppose further reductions in federal funds for postsecondary student assistance programs.	577	1156
118. (SUBSTITUTE) Committee on Higher Education: Petitioning Congress to oppose further reductions in federal funds for postsecondary student assistance programs.		
119. Senators Williams, Charnley, Fleming, Shipoch, Gaspard, Wojahn, Moore, Ridder, Talmadge, Goltz, Vognild and Quigg: Urging Congress to direct the BPA not to pay costs of nor to intervene in lawsuit against Initiative 394.	578	1088
120. Senators Fuller, Guess, Hurley, Bluechel, Hughes, Williams, Goltz, Hansen, Quigg and Zimmerman (by Interagency Committee for Outdoor Recreation request): Requesting Congress to authorize apportionments from the federal land and water conservation fund.	606	643
121. Senators Metcalf and Bauer: Urging the President and Congress to repeal the federal reserve act.	606	
122. Senators Lysen, Rasmussen, Moore, Goltz, Hughes, Hurley, Haley, McDermott, Talmadge and Williams: Memorializing the federal government for a freeze on testing, production, and development of nuclear weapons.	636	1010
123. Senator Bottiger: Requesting the federal government to give equal treatment to all parties in the regulation of fishing.	636	
124. Senators Gould, Moore, Fuller, Woody, McCaslin, Wilson, Hurley and Hemstad: Asking Congress to approve compact on nuclear waste. ...	636	749
124. (SUBSTITUTE) Committee on Energy and Utilities: Asking Congress to approve compact on nuclear waste.		
125. Senator Bauer: Memorializing Congress to recognize the importance of energy.	636	
126. Senator Shipoch: Urging Congress to establish a federal severance tax trust fund.	636	
127. Senator Quigg: Asking Congress to rescind the ban on shipment of red cedar logs.	636	

*Referred to committee indicated.

TITLE AND HISTORY OF SENATE JOINT MEMORIALS

NUMBER, SPONSOR AND SUBJECT	Introduction First Reading and Committee Referral	Report of Committee
128. Senator Quigg: Requesting support of bill to encourage investment of pension funds in home mortgages.	636	1157
129. Senators Moore, Hansen and Conners: Requesting that Congress reconsider Indian treaty rights.	636	.....
130. Senators Quigg, Gallagher, Fuller and Haley: Requesting Congress to pass legislation permitting the shipment of lumber from west coast by sea.	1150	1229
131. Senators Lysen, Quigg and Williams: Requesting modification of Federal Price-Anderson Nuclear Liability Act.	1675	.....
132. Senator Gallagher: Requesting congressional assistance in continued management and monitoring of salmon and steelhead trout harvest for treaty Indians.	2670	.....
133. Senators Lysen, Talmadge, Williams, Moore, Hurley, Ridder, Hughes and Bauer: Requesting the President to propose to Soviet Union a mutual freeze on nuclear weapons.	2670	.....

TITLE AND HISTORY OF SENATE JOINT RESOLUTIONS

NUMBER, SPONSOR AND SUBJECT	Introduction	
	First Reading and Committee Referral	Report of Committee
111. Senators Williams, Fuller, McCaslin and Bauer: Authorizing loans for energy conservation and renewable energy resources.		515
111. (SECOND SUBSTITUTE) Committee on Energy and Utilities: Authorizing loans for energy conservation and renewable energy resources.		
113. (SUBSTITUTE) Committee on Ways and Means: Restricting growth of state tax revenues.		
119. Senators Metcalf, Lysen and Lee: Amending Constitution to establish a redistricting commission if the legislature fails to perform such duty.		1011
135. Senators Scott and Deccio: Proposing constitutional amendment having superintendent of public instruction appointed by and serving at the pleasure of the governor.	38	
136. Senators Haley, Goltz, Metcalf, Gould and Sellar (by Secretary of State request): Authorizing an independent redistricting commission.	38	
137. Senator Metcalf: Authorizing use of associated student body program funds for scholarship or charitable purposes.	45	
138. Senators Metcalf, Fuller and McCaslin: Repealing the property tax and authorizing a flat income tax.	45	
139. Senators Bluechel, Metcalf and Quigg (by Governor Spellman request): Amending the Constitution to facilitate reorganization of the executive branch.	423	643
140. Senators Sellar and Conner: Providing for jurisdiction by justice courts in unlawful detainer actions.	432	
141. Senators Pullen and Bottiger: Removing constitutional requirement for a state census and updating obsolete terms.	441	494
142. Senators Pullen and Woody: Removing obsolete provisions from the constitution.	452	494
143. Senators Gallagher, Fleming, Bottiger, Zimmerman, Hemstad, Bauer and Benitz (by Governor Spellman request): Providing means for payment of indebtedness on public improvements.	467	544, 724, 734, 1147
143. (SUBSTITUTE) Committee on Local Government: Providing means for payment of indebtedness on public improvements.		
143. Senators Vognild, Williams, Ridder and Metcalf: Requiring governor to take actions when the legislature passes a bill.	606	
144. Senator Williams: Authorizing legislature to permit current use valuation for property taxation of lands with water dependent uses.	606	
145. Senators Vognild, Williams, Ridder and Metcalf: Requiring governor to take action when the legislature passes a bill.	637	
146. Senator Hayner: Modifying method by which property is revalued. ...	637	1191
147. Senator Craswell: Authorizing legislature to define practice of law. ...	637	1738
148. Senators Williams, Conner and Charnley: Amending state constitution to allow imposition of income tax.	2670	

TITLE AND HISTORY OF SENATE CONCURRENT RESOLUTIONS

NUMBER, SPONSOR AND SUBJECT	Introduction First Reading and Committee Referral	Report of Committee
105. Senators Talmadge, Hemstad, Woody and Moore: Adopting juvenile disposition standards of department of social and health services.		
107. (ENGROSSED SUBSTITUTE) Committee on Transportation: Directing legislative transportation committee to study partial deregulation of trucking industry.		
110. Senators Guess, Goltz and Sellar: Authorizing review of auditing of local governments.		
116. Senators Jones, Moore, Clarke, Lee, Fleming, McDermott and Bluechel: Creating a state convention and trade center council.		
123. Senators Hayner, Jones, Bottiger and Fleming: Notifying governor that legislature is organized.	3	
124. Senators Moore, Talmadge, Williams, Charley, Bottiger, Fleming and Hughes: Proposing a special school curriculum to warn of child abuse.	39	
125. Senator Moore: Requesting department of fisheries to develop a program of financial support for salmon enhancement activities.	46	
126. Senators Quigg, Talley, Hemstad, Zimmerman and Gallagher: Establishing a select committee on Mt. St. Helens disaster relief.	46	
127. Senators Metcalf, Vognild, Rasmussen, Moore, McCaslin, Pullen, Guess, Hansen, Bauer, Lysen, Craswell and Fuller: Requesting actions be filed in supreme court against unsound monetary policies.	339	
128. Senators Hayner, Jones, Bottiger and Fleming: Transmittal of bills and resolutions between houses.	376	
129. Senators Hayner, Jones, Bottiger and Fleming: Adjournment SINE DIE.	377	
130. Senators Hayner, Jones, Bottiger and Fleming: Notifying governor that legislature is organized.	385	
131. Senators Hayner, Jones, Bottiger and Fleming: Reintroduction of bills introduced in prior sessions of the forty-seventh legislature.	386	
132. Senators Guess, McCaslin and Benitz: Creating a joint select committee to study coroner qualifications.	423	
133. Senators Quigg, Jones, Bluechel, Lee, Kiskaddon, Haley, Deccio, Gould, Clarke, Gallagher, Patterson, Newhouse, Fuller, Hemstad, Benitz, Zimmerman, Hayner, Vognild, Metcalf and Guess: Establishing 1982 as "Washington Works Year."	452	643
134. Senators Lee, Bluechel, Wojahn, Shinpoch, Charley, Fleming, Gaspard and Bauer: Urging adoption of abuse prevention programs in Washington schools.	467	790
134. (SUBSTITUTE) Committee on Education: Urging adoption of abuse prevention programs in Washington schools.		
135. Senators von Reichbauer, Charley, Kiskaddon and Williams: Establishing policy of giving priority to ride-sharing programs and other transportation system techniques.	535	643
136. Senator Haley: Providing for a study and recommendations about obsolete laws.	578	
137. Senators Deccio, Bottiger, Jones and Shinpoch: Establishing a joint select committee on mandated health care benefits.	607	1011
137. (SUBSTITUTE) Committee on Social and Health Services: Establishing a joint select committee on mandated health care benefits.		
138. Senators Goltz, Jones and Quigg: Establishing a Joint Select Committee on Expo '86.	637	1157

TITLE AND HISTORY OF SENATE CONCURRENT RESOLUTIONS

Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President of the Senate	Signed by House Speaker
.....	.....	444	.....	.....	.....	.....
.....	.....	* 427 Transp.	.....	.....	.....	.....
.....	.....	* 425 Loc. Govt.	.....	.....	.....	.....
.....	.....	* 427 Loc. Govt.	.....	.....	.....	.....
3	3	3	3	23	24	26
.....
.....
134	134	.....	134	158	177	186
339	340, 454	339	341, 454	1583	1604	1614
376	376	.....	376	377	378	378
377	377	377, 379	377	377	378	378
385	385	385, 393	385	398	398	405
386	386	.....	386	398	398	405
.....
805	.....	805	.....	.....	.....	.....
.....	.....	1060	.....	.....	.....	.....
1060	1060	.....	1060	SCR 148 1658	.....	.....
960	960	.....	960	SCR 148 1658	.....	.....
.....
.....	.....	1603	.....	.....	.....	.....
1603, 1814	1604, 1814	.....	1604, 1814	SCR 148 1658	.....	.....
1816	1817	.....	1817	2086	2087	2096

TITLE AND HISTORY OF SENATE CONCURRENT RESOLUTIONS

NUMBER, SPONSOR AND SUBJECT	Introduction First Reading and Committee Referral	Report of Committee
139. Senator Guess: Establishing a joint select committee on the State Building Code.....	637	1011
140. Senators Gould and Williams: Establishing a Joint Select Committee on Radioactive Waste.	637	701
141. Senators Gould and Hurley: Recommending adoption of inverted electric rates.	637	.....
142. Senator Guess: State comprehensive emergency management program.	751	.....
143. Senators Guess, Bluechel and Charnley: Establishing a joint select committee to study management options and potential uses of Milwaukee road.	1351	.....
144. Senator Talmadge: Requesting acquisition of McNeil Island as a permanent correctional site.	1015	.....
145. Senators Gould, McCaslin, Williams, Fuller, Woody, Quigg, Moore, Wilson, Hurley, Newhouse and Hemstad: Providing for monitoring WPPSS by a legislative subcommittee.	1158	.....
146. Senator Bluechel: Acknowledging participation and support by citizens of Washington in the National History Contest.....	1389	.....
147. Senators Gould, Vognild, McCaslin, Jones and Ridder: Establishing a task force to plan investment of state funds.	1223	.....
148. Senators Hayner, Jones, Bottiger and Fleming: Transmittal of bills prior to adjournment SINE DIE.....	1654	.....
149. Senators Hayner, Jones, Bottiger and Fleming: Reintroduction and reprinting of measures.....	1664	.....
150. Senators Hayner, Jones, Bottiger and Fleming: Subjects to be considered during first special session of the 47th legislature.	1669	.....
151. Senators Hayner, Jones, Bottiger and Fleming: Subjects to be considered during second special session of the legislature.....	2659	.....
152. Senators Hayner, Jones, Bottiger and Fleming: Notifying governor that legislature is about to adjourn SINE DIE.....	2765	.....

TITLE AND HISTORY OF SENATE CONCURRENT RESOLUTIONS

Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President of the Senate	Signed by House Speaker
1152	1152	.....	1152	SCR 148 1658	.....	.....
977	977	762	977	SCR 148 1658	.....	.....
.....
1211	1211	.....	1211	SCR 148 1658	.....	.....
1817	1817	2011	1817, 2012	2011	2014	2029
.....
1854	1854	.....	1854	HCR 53 2648	.....	.....
1393	1393	1389	1393	1408	1523	1546
2041	2042	.....	2042	HCR 53 2648	.....	.....
1655	1655	1655	1655	1655	1655	1655
1664	1664, 1666	1665	1666	1674	1675	1694
1669, 1671	1671	1669	1671	1674	1675	1694
2659	2659	.....	2659	2669	2670	2671
2765	2765	2766	2765	2765	2765	2765

TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS

 NUMBER, AUTHOR, SUBJECT

45. **Senators Goltz, Charnley, Bluechel and Fuller:** Urging Congress include Pacific Northwest Trail in national trail system.....
146. **Senator Sellar:** Select committee consider differences—Senate/House legislation regarding federal balanced budget.....
149. **Senators Hayner, Jones, Bottiger and Fleming:** Senate organized, House notified.....
150. **Senators Hayner, Jones, Bottiger and Fleming:** Cut-off dates.....
151. **Senators Bottiger, Fleming and McDermott:** Standing committees, special session. Amendment to rule 43.....
152. **Senators Voguild and Talmadge:** Senate rule amendment to rule 14.....
153. **Senators Wilson, Hughes, Woody, Rasmussen and McCaslin:** Removal of murals.....
154. **All Members:** Observing Veterans Day.....
155. **All Members:** Condolences to family of Phil Sutherland.....
156. **All Members:** US/WSU football teams.....
157. **All Members:** Wishing speedy recovery to David Cunningham.....
158. **Senators Lysen, Hayner, Bottiger, Fleming and Jones:** Select committee public pensions to be appointed.....
159. **All Members:** Commending Trooper Michael Buckingham.....
160. **Senators Conner and Quigg:** Canadian lumber imports.....
161. **Senators Hayner, Jones, Bottiger and Fleming:** House notified, Senate adjourning Sine Die.....
162. **Senators Quigg, Zimmerman, Patterson, McCaslin, Goltz, Talley, Wilson, Benitz, Guess, Hayner and Bauer:** State and local taxes study.....
163. **Senators Hayner, Jones, Bottiger and Fleming:** Senate organized, House notified.....
164. **All Senators:** Paying tribute to Dr. Martin Luther King, Jr.....
165. **All Senators:** Honoring workers in Washington State by operating on reduced schedule.....
167. **Senators Lysen, Shinpoch, Bottiger, Talley, Conner, Williams, McDermott, Metcalf, McCaslin, Goltz, Voguild and Ridder:** Efforts to charge electric ratepayers for lawsuit challenging initiative 394 contrary to public policy.....
168. **Senators Hayner, Jones and Clarke:** Amending Rule 61 of the permanent rules of the Senate, cutoff dates.....
169. **Senators Wojahn, Rasmussen, Bauer, Bottiger, Goltz, Gaspard, Hughes and Haley:** Acknowledges contribution of L. H. (Vern) Bates and mourns death.....
170. **All Members:** Commending and designating February 6, 1982, the Reverend Leo Charles Brown, Jr. Day.....

TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS

Introduction 1st Reading Referral	Report of Committee	2nd Reading	3rd Reading	Other Action	Vote on Final Passage
(1981) 983	762	984 Adopted
(1981)	448	.....	.....	448-449	..... 2
2	2, 3	Adopted
23	23 Adopted
.....	25	.....
.....	25, 917	.....
374	375 Not Adpt.
34	34 Adopted
121	123 Adopted
183	184 Adopted
181	183 Adopted
185	185	185 Adopted
178	181 Adopted
373	374 Adopted
377	378, 379	377 Adopted
375	375 Adopted
385	385, 393	385 Adopted
432	433	432 Adopted
458	459 Adopted
638	639, 646 Referred to Energy & Utilities	.....
567	568 Adopted
647	648 Adopted
669	670 Adopted

TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS

NUMBER, AUTHOR, SUBJECT

171. **All Members:** Support for observing January 30, 1982 as a day to acknowledge and honor Franklin Delano Roosevelt.
172. **All Members:** Proclaiming solidarity with people of Poland.
176. **All Members:** Honoring Abraham Lincoln.
177. **Senators Vognild, McDermott, Gaspard, Lee, Charnley, Zimmerman, Bottiger, Haley, Talmadge, Hughes, Wojahn, Metcalf, Moore and Hurley:** Encouraging members and staff to attend classes of CPR training.
178. **Senators Hayner, Jones, Bluechel, Gallagher, Patterson, Hemstad, Kiskaddon, Clarke, Gould, Fuller, Craswell, Metcalf, Deccio, von Reichbauer, Benitz, Zimmerman, Quigg, Moore, Guess:** Honoring small business leaders.
181. **Senators Lysen, Shinpoch, Bottiger, Talley, Conner, Williams, McDermott, Metcalf, McCaslin, Goltz, Ridder, Vognild, Hughes, Talmadge, Gaspard, Fleming, Quigg, Fuller, Patterson, Hemstad, Gould, Zimmerman, Peterson, Rasmussen, Wojahn, Hurley, Moore, Charnley, von Reichbauer, Lee and Wilson:** Efforts to charge electric ratepayers for costs of lawsuit contrary to public policy.
187. **All Members:** Honoring Dr. Eldon J. Dietrich, President of Walla Walla Community College. ...
188. **Senators Pullen, Lee, Hayner and Goltz:** Student congress sponsored by Washington State Forensics Association.
190. **Senators Hurley, Hughes, Bauer, Bottiger, Moore, Lysen, Charnley, Ridder, Goltz, McCaslin, Williams, Wojahn, Rasmussen, Hansen, Talmadge, Gaspard, McDermott, Conner, Wilson, Pullen, Shinpoch, Gallagher, Fleming, Peterson, Woody and Metcalf:** Washington State Parks and Recreation Commission proposed reorganization.
198. **All Members:** Honoring Thelma M. Doran, Irish Consul General.
202. **Senators Hayner, Jones, Bottiger and Fleming:** Notifying House of adjournment Sine Die.
203. **Senators Hayner, Jones, Bottiger and Fleming:** Notifying House that Senate is organized and ready to transact business.
204. **Senators Hayner, Jones, Bottiger and Fleming:** Senate officers and standing committees.
205. **Senators Hayner, Jones, Bottiger and Fleming:** Cut-off dates for introduction of bills.
208. **Senator Hurley:** Paying tribute to Philip J. Raboin.
209. **All Members:** Honoring Senator Bruce Wilson.
211. **Senators Vognild, Fuller and Metcalf:** Urging Governor Spellman to proclaim April 3, 1982 as "Amateur Wrestling Day."
213. **All members:** Commending Army Corps of Engineers for work at Mt. St. Helens.
217. **All Members:** Honoring Captain Philip H. Luther on his retirement.
236. **Senators Hayner, Jones, Bottiger and Fleming:** Notifying House of adjournment Sine Die.
238. **Senators Hayner, Jones, Bottiger and Fleming:** Interim authority.
242. **Senators Hayner, Jones, Bottiger, Fleming and Rasmussen:** Indefinitely postponing all bills, joint resolutions and joint memorials.
244. **Senators Hayner, Jones, Bottiger and Fleming:** Notifying House that Senate is organized and ready to transact business.

TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS

Introduction 1st Reading Referral	Report of Committee	2nd Reading	3rd Reading	Other Action	Vote on Final Passage
					585
584	Adopted
					586
585	Adopted
					780
779	
					896
895	Adopted
					900
899	Adopted
					1001
1000	Adopted
					2058
2057	Adopted
					2539
2538	2538	Adopted
					2156
					Adopted
				2155,	2218
2155	2215	Adopted
					1580
1579	Adopted
					1654
1653	1653	Adopted
				1663,	1663
1663	1664	Adopted
					1663
1663	Adopted
					1663
1663	Adopted
					2058
2058	Adopted
				1765-1775,	1775
1765	1777	Adopted
					1996
1995	1996	Adopted
					1912
1912	1912	Adopted
					2057
2056	Adopted
				2647,	2647
2647	2648	Adopted
					2646
2645	Adopted
					2643
2643	Adopted
				2655,	2655
2655	2656	Adopted

TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS

NUMBER, AUTHOR, SUBJECT

- 252. **Senators Hayner, Jones, Bottiger and Fleming:** Notifying House of adjournment Sine Die.....
- 253. **Senators Hayner, Jones, Bottiger and Fleming:** Indefinitely postponing all bills, joint resolutions and joint
memorials.....

TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS

Introduction 1st Reading Referral	Report of Committee	2nd Reading	3rd Reading	Other Action	Vote on Final Passage
				2765, 2766	2765 Adopted
2765		2766 Adopted
2766	

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR, SUBJECT	Introduction		
	House Messages	1st Reading Referred	Report of Committee
1. (SUBSTITUTE) Committee on Revenue: Authorizing current use valuation for smaller areas of forest land.	991, 1681	992, 1682	.....
4. Representatives Sanders and Isaacson: Designating Roosevelt Elk as state animal.	546	562	791
11. (REENGROSSED SUBSTITUTE) Committee on State Government: Requiring information on bond measures to be disclosed in voters' pamphlet.	546	564	724
15. (SUBSTITUTE) Committee on Ethics, Law and Justice: Regulating forfeiture of property exchanged for controlled substances.	418, 1522	423	1056
17. (SUBSTITUTE) Committee on Revenue: Modifying the 106% limit.	737, 2005	737, 2005	.....
22. (ENGROSSED) Representative Sprague: Making it unlawful to sell, give, dispose, or deliver explosives to persons under eighteen.	737, 1558	738	1057
40. (SUBSTITUTE) Committee on Ethics, Law and Justice: Exempting small local governments from public disclosure act.	644, 1522	645	1011
43. (SUBSTITUTE) Committee on State Government: Allowing voters confined to a hospital on election day to apply for and vote an absentee ballot.	418	424	1068
46. (ENGROSSED) Representatives Owen, Nisbet, Brown and Rosbach: Protecting shellfish pots.	418	424	643
58. (SUBSTITUTE) Committee on Local Government: Requiring only one copy of certain codes to be filed with local governments.	644, 1522	645	909
70. (SUBSTITUTE) Committee on Natural Resources and Environmental Affairs: Providing for distribution of federal funds for fish restoration and management projects.	418, 1201	424	589
78. (ENGROSSED SUBSTITUTE) Committee on Revenue: Modifying senior citizens' property tax exemption. .	818	819	.....
115. (SUBSTITUTE) Committee on Higher Education: Implementing law relating to refund or cancellation of tuition and fees at institutions of higher education.	495	503	608
124. (SECOND SUBSTITUTE) Committee on Appropriations-General Government and Compensation: Modifying provisions relating to public employment.	1884, 2290	1884	2097
131. Committee on Natural Resources and Environmental Affairs and Representative Rosbach: Changing minimum value requirement and method of payment for sales of public land and materials.	419, 1201	424	814
135. (SUBSTITUTE) Committee on Natural Resources and Environmental Affairs: Modifying provisions relating to forest protection.	419, 1201	424	643
148. (SUBSTITUTE) Committee on State Government: Reducing minimum age qualifications to eighteen for all purposes except alcoholic beverage consumption.	818	819	1068
151. (ENGROSSED) Representatives Galloway, Teutsch, Erickson and others: Modifying the laws affecting victims under sixteen.	546	564	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR, SUBJECT	House Messages	Introduction 1st Reading Referred	Report of Committee
174. (SUBSTITUTE) Committee on Labor and Economic Development: Modifying licensing requirements for podiatrists.....	419, 1147	424	668
179. (THIRD SUBSTITUTE) Committee on Appropriations-Human Services: Creating council on child abuse and neglect.....	495, 818	504	659
183. (ENGROSSED) Committee on State Government and Representatives Garson and Kreidler: Establishing the 1989 Washington state centennial commission.....	419, 1427, 1558	424	686
213. (SUBSTITUTE) Committee on State Government: Modifying the scope of the Open Public Meetings Act.....	495	504	1089
221. (SUBSTITUTE) Committee on Local Government: Authorizing county solid waste disposal districts....	818, 1651	819	1044
223. (ENGROSSED) Committee on Natural Resources and Environmental Affairs and Representative Rosbach: Modifying provisions on forest protection.....	436	441	1222
226. (ENGROSSED SUBSTITUTE) Committee on Ethics, Law and Justice: Insuring the informed consent of a woman having an abortion.....	589	607	.....
259. (SUBSTITUTE) Committee on State Government: Providing plans for conserving paper resources by governmental agencies.....	644	645	814
268. (SUBSTITUTE) Committee on Ethics, Law and Justice: Delaying vehicle license renewal until unpaid parking fines are paid.....	644, 1703, 1971	645, 1705	814
273. Committee on Natural Resources and Environmental Affairs and Representatives Rosbach, Garrett and North: Authorizing increases in compensation paid members of youth development and conservation corps.....	660	660	.....
274. (SUBSTITUTE) Committee on Human Services: Modifying licensing procedures for practical nurses.....	546	564	.....
279. (SUBSTITUTE) Committee on Education: Authorizing school districts upon vote of school board to hold election to return to system of directors thereof running at large.....	546	564	.....
286. (REENGROSSED) Representatives Teutsch, Brekke, Mitchell and others: Continuing displaced homemakers program.....	546, 1674, 1972	564, 1675	1069
288. (ENGROSSED SUBSTITUTE) Committee on Transportation: Requiring approval and use of child safety restraints in vehicles.....	818	819	.....
289. (ENGROSSED) Representatives Walk, Garrett, Patrick and others: Granting civil immunity to officers using police dogs and making it a felony to harm a police dog.....	516, 1147	520	815
293. (SUBSTITUTE) Committee on Ethics, Law and Justice: Making prostitution involving a minor a class C felony.....	644	645	.....
312. (ENGROSSED SUBSTITUTE) Committee on Revenue: Prohibiting municipal corporations from imposing certain development fees, taxes, and charges.....	2434	2434	.....
313. (SUBSTITUTE) Committee on Revenue: Pertaining to taxation of business inventories.....	1610	1610	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

2nd Reading and Amendments	3rd Reading	Vote on Final Passage	Other Action	Signed by House Speaker	Signed by President of Senate	Action by the Governor
1050	1050	1050	442	1157	1158	CH. 21 L. 1982
780	784, 786	786	785	930	930	CH. 4 L. 1982
1053	1055	1055, 1428	1427, 1428	1583	1584	CH. 90 L. 1982
.....	.....	.....	568	.....	.....	.....
1561	1562	1563	1564, 1578-1579	1652	1653	CH. 175 L. 1982
.....
.....
1283	1283	1283	.....	1372	1372	CH. 61 L. 1982
1180, 1818	1182, 1596, 1819	1183, 1597, 1820	1166, 1187, 1190, 1721	1992	1993	CH. 14 L. 1982 E1
.....
.....
.....
1634, 1833	1638, 1837	1638, 1837	1721	1992	1993	CH. 15 L. 1982 E1
.....	.....	.....	1326, 1564	.....	.....	.....
1051	1051	1051	.....	1157	1158	CH. 22 L. 1982
.....
2462	2463	2466	2434, 2463, 2467	.....	.....	.....
1610	1610	1610	1610	1652	1653	CH. 174 L. 1982

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR, SUBJECT	House Messages	Introduction 1st Reading Referred	Report of Committee
319. Committee on Human Services and Representative Mitchell: Revising laws relating to life sustaining procedures.	737	738	.....
330. Representatives Kreidler, Sanders, Dawson, and others: Requiring notification to secretary of transportation about plats of subdivisions near public airports.	546, 1147	564	815
357. Committee on State Government and Representatives Addison and Walk: Modifying provisions on preservation and destruction of public records.	495, 1201	504	659
361. Committee on Higher Education and Representatives Teutsch and Ellis: Providing for removal of members of community college board of trustees by the governor.	436	441	530
375. Committee on Labor and Economic Development and Representatives Patrick, Sanders, Smith and others: Modifying regulation of automotive repairs.	495	504	1118
378. (SECOND SUBSTITUTE) Committee on Labor and Economic Development: Revising laws regulating cosmetology.	546, 1522	564	928
381. (ENGROSSED) Representatives Tilly and Padden: Modifying procedures applicable to conditionally released persons.	436, 1522	441	1011
385. Committee on Labor and Economic Development and Representatives Sanders, Patrick, Eberle and others: Enacting the regulatory fairness act.	495	504	765
386. (ENGROSSED) Representatives Nickell, Rinehart, Tilly and others: Modifying administration of winter recreation activities.	436	441	.....
401. Representatives Galloway, Vander Stoep, Bender and Heck: Authorizing educational service districts to establish direct student service programs.	644	645	1011
410. Committee on Human Services and Representatives Mitchell and Hine (by Department of Social and Health Services request): Modifying provisions relating to county alcoholism and drug abuse programs.	791	792	1012
419. (SUBSTITUTE) Committee on Natural Resources and Environmental Affairs: Notifying buyer of land when reforestation is required.	462, 1522	467	928
424. (SECOND SUBSTITUTE) Committee on Transportation: Modifying procedures for public transportation benefit areas.	1276	1278	.....
436. (SUBSTITUTE) Committee on Labor and Economic Development: Requiring auctioneer licensing.	991	992	1118
439. (ENGROSSED) Representatives North, Sherman and Garrett: Providing that candidates for municipal office may file with the city clerk.	462	467	.....
442. Committee on Labor and Economic Development and Representatives Sanders, Scott, Eberle and others: Revising laws pertaining to discipline of engineers. .	495	504	1011
448. (SUBSTITUTE) Committee on Labor and Economic Development: Prohibiting pull-tab beverage containers.	991	992	1157

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

2nd Reading and Amendments	3rd Reading	Vote on Final Passage	Other Action	Signed by House Speaker	Signed by President of Senate	Action by the Governor
.....
1051	1053	1053	.....	1157	1158	CH. 23 L. 1982
1096	1100	1100	.....	1230	1230	CH. 36 L. 1982
.....
1284	1284	1284	.....	1372	1372	CH. 62 L. 1982
1187	1188	1189	.....	1545	1546	CH. 225 L. 1982 P.V.
1322	1322	1323	.....	1545	1546	CH. 112 L. 1982
900	900	905	903, 904	964	964	CH. 6 L. 1982
.....	.....	.....	568	.....	.....	.....
1284	1285	1285	.....	1372	1372	CH. 46 L. 1982
1615	1615	1615	.....	1655	1658	CH. 193 L. 1982
1292	1294	1294	.....	1545	1546	CH. 173 L. 1982
.....
1608	1608	1609	.....	1652	1653	CH. 205 L. 1982
.....
1294	1294	1295	.....	1372	1372	CH. 37 L. 1982
1560	1561	1561	.....	1613	1653	CH. 113 L. 1982

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR, SUBJECT	House Messages	Introduction 1st Reading Referred	Report of Committee
449. (SUBSTITUTE) Committee on Agriculture: Modifying supervisor of water resources responsibilities in determining water rights.	546	565	669
451. (SUBSTITUTE) Committee on Institutions: Modifying provisions relating to juveniles.	546	565	.....
452. (SUBSTITUTE) Committee on Transportation: Providing for city council members as members of the urban arterial board.	644, 1522	645	815
454. (ENGROSSED) Representatives Clayton, McGinnis, King (R.) and others: Enacting the Workers' Compensation Vocational Rehabilitation Reform Act of 1981.	687, 1201	687	1011
457. (REENGROSSED) Committee on Transportation and Representative Garson: Revising common carrier requirements.	791, 1276	792	929
458. Representatives Monohon, King (R.), Erak and Rosbach: Establishing commercial salmon net fishing areas.	1149	1150	1192
461. Representatives Prince, Burns, Isaacson and others: Authorizing educational reciprocity as to institutions of higher education with state of Idaho.	462	467	659
462. (SUBSTITUTE) Committee on Education: Implementing law relating to injury or defacement of school property and liability therefor.	791, 1201	793	1011
470. (ENGROSSED) Select Committee on Vietnam Era Veterans and Representatives Tupper, Bender, Van Dyken and others: Appropriating funds for training of mental health professionals.	791	793	.....
472. Representatives Pruitt, Sherman, Monohon and others: Modifying penalty for unlawful political advertising.	546	565	1069
476. (SUBSTITUTE) Committee on State Government: Exempting certain library records from requirements for public disclosure.	991	992	1069
485. (SUBSTITUTE) Committee on Revenue: Terminating pollution control exemptions and credits.	47, 343	68	124
494. Committee on Ethics, Law and Justice and Representative Wang: Modifying procedures governing a defendant acquitted by reason of insanity.	589	607	815
312. (ENGROSSED SUBSTITUTE) Committee on Revenue: Prohibiting municipal corporations from imposing certain development fees, taxes, and charges.	2434	2434	.....
313. (SUBSTITUTE) Committee on Revenue: Pertaining to taxation of business inventories.	1610	1610	.....
319. Committee on Human Services and Representative Mitchell: Revising laws relating to life sustaining procedures.	737	738	.....
330. Representatives Kreidler, Sanders, Dawson, and others: Requiring notification to secretary of transportation about plats of subdivisions near public airports.	546, 1147	564	815
357. Committee on State Government and Representatives Addison and Walk: Modifying provisions on preservation and destruction of public records.	495, 1201	504	659

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

2nd Reading and Amendments	3rd Reading	Vote on Final Passage	Other Action	Signed by House Speaker	Signed by President of Senate	Action by the Governor
1071	1071	1071	.....	1121	1121	CH. 15 L. 1982
.....
1295	1297	1297	.....	1545	1546	CH. 209 L. 1982
1100	1113	1113	.....	1230	1230	CH. 63 L. 1982
1168	1169	1169	.....	1371	1372	CH. 83 L. 1982
.....
1122	.....	.....	1123	.....	.....	.....
1113	1113	1113	.....	1230	1230	CH. 38 L. 1982
.....
.....
1297	1297	1297	.....	1372	1372	CH. 64 L. 1982
124	125	125, 344	124, 343	347	347	CH. 9 L. 1981 E2
.....
2462	2463	2466	2434, 2463, 2467	.....	.....	.....
1610	1610	1610	1610	1652	1653	CH. 174 L. 1982
.....
1051	1053	1053	.....	1157	1158	CH. 23 L. 1982
1096	1100	1100	.....	1230	1230	CH. 36 L. 1982

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR, SUBJECT	House Messages	Introduction 1st Reading Referred	Report of Committee
361. Committee on Higher Education and Representatives Teutsch and Ellis: Providing for removal of members of community college board of trustees by the governor.	436	441	530
375. Committee on Labor and Economic Development and Representatives Patrick, Sanders, Smith and others: Modifying regulation of automotive repairs.	495	504	1118
378. (SECOND SUBSTITUTE) Committee on Labor and Economic Development: Revising laws regulating cosmetology.	546, 1522	564	928
381. (ENGROSSED) Representatives Tilly and Padden: Modifying procedures applicable to conditionally released persons.	436, 1522	441	1011
385. Committee on Labor and Economic Development and Representatives Sanders, Patrick, Eberle and others: Enacting the regulatory fairness act.	495	504	765
386. (ENGROSSED) Representatives Nickell, Rinehart, Tilly, Rust, Barrett, Fancher and Wang: Modifying administration of winter recreation activities.	436	441	.....
401. Representatives Galloway, Vander Stoep, Bender and Heck: Authorizing educational service districts to establish direct student service programs.	644	645	1011
410. Committee on Human Services and Representatives Mitchell and Hine (by Department of Social and Health Services request): Modifying provisions relating to county alcoholism and drug abuse programs.	791	792	1012
419. (SUBSTITUTE) Committee on Natural Resources and Environmental Affairs: Notifying buyer of land when reforestation is required.	462, 1522	467	928
424. (SECOND SUBSTITUTE) Committee on Transportation: Modifying procedures for public transportation benefit areas.	1276	1278	.....
436. (SUBSTITUTE) Committee on Labor and Economic Development: Requiring auctioneer licensing.	991	992	1118
439. (ENGROSSED) Representatives North, Sherman and Garret: Providing that candidates for municipal office may file with the city clerk.	462	467	.....
442. Committee on Labor and Economic Development and Representatives Sanders, Scott, Eberle and others): Revising laws pertaining to discipline of engineers. .	495	504	1011
448. (SUBSTITUTE) Committee on Labor and Economic Development: Prohibiting pull-tab beverage containers.	991	992	1157
449. (SUBSTITUTE) Committee on Agriculture: Modifying supervisor of water resources responsible in determining water rights.	546	565	669
451. (SUBSTITUTE) Committee on Institutions: Modifying provisions relating to juveniles.	546	565	.....
452. (SUBSTITUTE) Committee on Transportation: Providing for city council members as members of the urban arterial board.	644, 1522	645	815
454. (ENGROSSED) Representatives Clayton, McGinnis, Lux and Sanders: Enacting the Workers' Compensation Vocational Rehabilitation Reform Act of 1981.	687, 1201	687	1011

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

2nd Reading and Amendments	3rd Reading	Vote on Final Passage	Other Action	Signed by House Speaker	Signed by President of Senate	Action by the Governor
1284	1284	1284	.....	1372	1372	CH. 62 L. 1982
1187	1188	1189	.....	1545	1546	CH. 225 L. 1982 P.V.
1322	1322	1323	.....	1545	1546	CH. 112 L. 1982
900	900	905	903, 904	964	964	CH. 6 L. 1982
.....	.....	.....	568	.....	.....	.....
1284	1285	1285	.....	1372	1372	CH. 46 L. 1982
1615	1615	1615	.....	1655	1658	CH. 193 L. 1982
1292	1294	1294	.....	1545	1546	CH. 173 L. 1982
.....
1608	1608	1609	.....	1652	1653	CH. 205 L. 1982
.....
1294	1294	1295	.....	1372	1372	CH. 37 L. 1982
1560	1561	1561	.....	1613	.....	CH. 113 L. 1982
1071	1071	1071	.....	1121	1121	CH. 15 L. 1982
.....
1295	1297	1297	.....	1545	1546	CH. 209 L. 1982
1100	1113	1113	.....	1230	1230	CH. 63 L. 1982

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR, SUBJECT	House Messages	Introduction 1st Reading Referred	Report of Committee
457. (REENGROSSED) Committee on Transportation and Representative Garson: Revising common carrier requirements.	791, 1276	792	929
458. Representatives Monohon, King (R.), Erak and Rosbach: Establishing commercial salmon net fishing areas.	1149	1150	1192
461. Representatives Prince, Burns, Isaacson and others: Authorizing educational reciprocity as to institutions of higher education with state of Idaho.	462	467	659
462. (SUBSTITUTE) Committee on Education: Implementing law relating to injury or defacement of school property and liability therefor.	791, 1201	793	1011
470. (ENGROSSED) Select Committee on Vietnam Era Veterans and Representatives Tupper, Bender, Van Dyken and others: Appropriating funds for training of mental health professionals.	791	793	.....
472. Representatives Pruitt, Sherman, Monohon and others: Modifying penalty for unlawful political advertising.	546	565	1069
476. Committee on State Government: Exempting certain library records from requirements for public disclosure.	991	992	1069
485. (SUBSTITUTE) Committee on Revenue (originally sponsored by Committee on Revenue and Representatives Chandler, Isaacson, Sommers, Greengo, Rinehart, Burns, Rust and Nelson (D.)): Terminating pollution control exemptions and credits.	47, 343	68	124
494. Committee on Ethics, Law and Justice and Representative Wang: Modifying procedures governing a defendant acquitted by reason of insanity.	589	607	815
500. Committee on Ethics, Law and Justice and Representatives Ellis and Salatino (by Code Reviser request): Adopting a rule of statutory construction that a reference includes any amendments to the referenced statute.	495	504	815
506. (REENGROSSED SUBSTITUTE) Committee on Revenue: Modifying provisions on senior citizen tax relief.	462	467	.....
519. (ENGROSSED) Committee on Local Government and Representative Isaacson: Modifying procedures for forming and financing local improvement districts. .	737	738	.....
527. (ENGROSSED) Committee on State Government and Representatives Rosbach and North: Continuing state board of geographic names.	737	738	1069
554. (ENGROSSED) Representatives Burns, Eng, Maxie and others: Allowing cities or towns to borrow on expected revenues from utility projects.	644	645	909
557. (SECOND SUBSTITUTE) Committee on Human Service: Prohibiting transfer of assets for the purpose of qualifying for medical assistance benefits.	35, 199	46	129
563. Committee on Ethics, Law and Justice and Representatives Ellis, Patrick, Tilly and others: Modifying grounds for a claim for malicious prosecution.	546	565	.....
569. (ENGROSSED) Representatives Nickell, Patrick, Clayton and others: Redefining habitual criminal status.	644	645	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR, SUBJECT	House Messages	Introduction 1st Reading Referred	Report of Committee
571. (SUBSTITUTE) Committee on Labor and Economic Development: Implementing law relating to control of alcoholic beverages.	546	565	1003
572. Committee on State Government and Representative Addison: Transferring responsibility for voting devices to the secretary of state.	495	504	1069
576. Representatives McCormick, Gallagher, Wilson and others: Qualifying state authority for 55 mile speed limit.	546	565	815
593. (SUBSTITUTE) Committee on State Government: Protecting state employees who report improper governmental action.	737, 1522	738	964
600. Committee on Ethics, Law and Justice and Representatives Ellis, Patrick, Schmidt and others: Making various changes in criminal laws.	495, 1675, 1974, 1993, 2307, 2414	504, 1676	1069, 2045, 2307
612. (SUBSTITUTE) Committee on Revenue: Modifying provisions on county indicated ratios.	546, 1992	565, 1993	.....
621. (ENGROSSED) Representatives Winsley and North: Modifying provisions relating to cruelty to animals.	495, 1522	504	1089
623. Committee on State Government and Representatives Addison, Walk, Owen and North: Modifying eligibility requirements for veterans' free license plates.	792, 1651	793	1069
626. (SUBSTITUTE) Committee on Ethics, Law and Justice: Providing civil and criminal penalties for certain acts relating to pornography and moral nuisances. .	516, 1276	520	991
634. (SUBSTITUTE) Committee on State Government: Modifying environmental coordination procedures. .	737	738	.....
641. (ENGROSSED) Representative Nickell: Requiring that county auditors record plats of public land surveys.	737	738	1044
658. (SECOND SUBSTITUTE) Committee on Energy and Utilities: Providing energy conservation procedures for state buildings.	686	687	1069
660. (ENGROSSED) Committee on Labor and Economic Development and Representatives Sanders, Clayton, Barr and Smith: Modifying labor dispute disqualification for unemployment benefits.	644	645	.....
663. (SUBSTITUTE) Committee on State Government: Modernizing initiative and referendum petition requirements.	792, 1522	793	1011
682. Committee on Ethics, Law and Justice and Representative Ellis: Extending statute of limitations for certain crimes of sexual abuse against children.	495	505	.....
696. (SUBSTITUTE) Committee on Local Government: Modifying investment authority of municipal employees' pension system boards.	546, 1651	565	1089
706. Committee on Institutions and Representatives Struthers, Fiske, Walk and Houchen: Modifying provisions on contraband and detention facilities.	546	565	.....
709. (SUBSTITUTE) Committee on Local Government: Transferring county treasurers' duties relating to metropolitan park districts to city treasurers.	495	505	909

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR, SUBJECT	House Messages	Introduction 1st Reading Referred	Report of Committee
720. Committee on Ethics, Law and Justice and Representatives Isaacson and Ellis: Modifying persons authorized to become donees of gifts of human remains.	495	505	816
728. (ENGROSSED) Committee on State Government and Representative Sommers: Revising definition of appraisals.	546, 1522	565	1070
733. (SUBSTITUTE) Committee on State Government: Extending provisions permitting deductions from state retirement benefits.	1157	1158	. . . . .
736. Committee on State Government and Representative Garson: Allowing state employees insurance board to contract with multiple carriers providing similar coverage and changing frequency of insurance surveys performed for board.	1276, 1703, 2096	1278, 1705	1457
745. (ENGROSSED) Committee on Ethics, Law and Justice and Representatives Ellis and Johnson: Penalizing threats against the governor and successors to the office of governor.	546, 1522	566	816
751. (ENGROSSED SUBSTITUTE) Committee on Ethics, Law and Justice: Increasing the maximum salaries for part-time justices of the peace.	660	660	816
752. (ENGROSSED) Committee on Revenue and Representative Greengo: Modifying provision on the taxation of motor carriers of freight for hire.	818	819	1089
755. (ENGROSSED) Representatives Prince, Fiske and Erickson: Deducting trade-in allowances from selling price for sales tax purposes.	2005	2005	. . . . .
756. (ENGROSSED SECOND SUBSTITUTE) Committee on Appropriations-Human Services: Modifying provisions relating to public assistance.	128, 344, 373	128	156
757. (ENGROSSED) Committee on Human Services and Representative Mitchell (by Department of Social and Health Services request): Modifying provisions of certificate of need program.	35, 516, 1352	46, 520	70, 1011
759. (ENGROSSED SUBSTITUTE) Committee on Appropriations-Human Services: Enacting social and health services financial responsibility act.	128	128	. . . . .
760. (SUBSTITUTE) Committee on Appropriations-Human Services: Modifying provisions relating to nursing homes.	47, 274, 339	68	129
762. (ENGROSSED SUBSTITUTE) Committee on State Government: Reorganizing commissions, boards, and councils.	99, 546, 1523	99, 566	816
763. (ENGROSSED SUBSTITUTE) Select Committee on Deregulation and Productivity: Revising public employment laws.	186	187	. . . . .
764. (SUBSTITUTE) Committee on Revenue: Providing temporary procedures for property tax listing and payments.	1992	1993	2087
765. Committee on Revenue and Representative Greengo (by Department of Revenue request): Modifying excise tax registration fee.	1045, 1681	1046, 1682	1738

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

2nd Reading and Amendments	3rd Reading	Vote on Final Passage	Other Action	Signed by House Speaker	Signed by President of Senate	Action by the Governor
1049	1049	1049	.....	1058	1058	CH. 9 L. 1982
1302	1302	1302	.....	1545	1546	CH. 117 L. 1982
.....
1815	1815	1815	.....	2227	2227	CH. 34 L. 1982 E1
1303	1303	1303	.....	1545	1546	CH. 185 L. 1982
1186	1186	1186	1189	1193	1193	CH. 29 L. 1982
1304	1304	1304	963	1372	1372	CH. 169 L. 1982
.....
190	197	198, 345	156-158, 344-345	376	376	CH. 10 L. 1981 E2
1208	1210	1210, 1352	1352	1408	1409	CH. 119 L. 1982
.....
160, 274	171, 274	172, 275	129, 143, 274	345	345	CH. 11 L. 1981 E2
1171	1180	1180	.....	1545	1546	CH. 163 L. 1982
.....
2091	2091	2091	2087	2096	2096	CH. 29 L. 1982 E1
1814	1814	1814	.....	1844	1883	CH. 4 L. 1982 E1

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER; AUTHOR, SUBJECT	House Messages	Introduction 1st Reading Referred	Report of Committee
766. (ENGROSSED SUBSTITUTE) Committee on Revenue: Amending uniform disposition of unclaimed property act.	35	46	124
768. (ENGROSSED) Committee on Institutions and Representative Houchen: Modifying provisions relating to the department of corrections.	99, 546, 1558	99, 566	1012
770. (ENGROSSED SUBSTITUTE) Committee on Education: Changing law respecting student learning objectives and achievement level surveys of students.	128	128	.....
773. (ENGROSSED SUBSTITUTE) Committee on Ways and Means: Providing methods for management of state funds.	99, 158	99	129
774. (SUBSTITUTE) Committee on Institutions: Modifying jail space requirements.	47, 203	69	130
775. Representative Eberle: Clarifying legislative district boundaries between the twenty-fourth and thirty-fifth legislative districts and legislative district 19-B.	364	364	.....
778. (SUBSTITUTE) Select Committee on Deregulation and Productivity: Revising provisions for licensing and regulation of certain professions.	107, 546, 1651	108, 566	1118
780. (ENGROSSED) Committee on Labor and Economic Development and Representative Sanders (by Governor Spellman request): Modifying provisions relating to state trade fair fund.	35, 158	46	130
782. (SUBSTITUTE) Committee on Higher Education: Implementing laws relating to discharge of community college personnel.	108, 373	108	186
784. (ENGROSSED FIRST SUBSTITUTE) Committee on Appropriations—Education (by Office of Financial Management request): Making miscellaneous changes in law relating to institutions of higher education. .	137, 546	137, 566	608
784. (ENGROSSED SECOND SUBSTITUTE) Committee on Ways and Means: Making miscellaneous changes in law relating to institutions of higher education.	2086	2087	.....
787. (SUBSTITUTE) Select Committee on Redistricting: Providing for congressional redistricting and reapportionment and establishing a redistricting commission.	462, 730	467	608
788. (SECOND SUBSTITUTE) Committee on Ways and Means: Providing a temporary modification in state retail sales and use tax rates.	158	159	199
795. (ENGROSSED) Committee on Labor and Economic Development and Representative Sanders (by Department of Labor and Industries request): Establishing user fees to allow department of labor and industries to defray cost of administering prevailing wage law and minor work permit law.	1157, 1681, 2553	1158, 1682	1757
796. Committee on Labor and Economic Development and Representatives Sanders and Tilly (by Department of Labor and Industries request): Revising laws on review of apprenticeship programs.	1157, 1681, 2553	1158, 1682	1757

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

2nd Reading and Amendments	3rd Reading	Vote on Final Passage	Other Action	Signed by House Speaker	Signed by President of Senate	Action by the Governor
126	126	127	124	130	130	CH. 1 L. 1981 E2
1379	1380	1380	.....	1583	1584	CH. 207 L. 1982
.....
130	131	133	130	186	186	CH. 4 L. 1981 E2
172-177, 187	189	190	130, 143	273	273	CH. 12 L. 1981 E2
366, 370	370	372	364, 369, 371	376	376	CH. 5 L. 1981 E2
1528	1540	1540	.....	1655	1658	CH. 227 L. 1982
143	148	149	130	199	199	CH. 2 L. 1981 E2
341	341	343	186	376	376	CH. 13 L. 1981 E2
1022	1043	1044	566	.....	.....	.....
2295	2305	2305	2087	2319	2319	CH. 37 L. 1982 E1
661, 670	724	725, 731	664, 678, 724, 730	745	746	CH. 2 L. 1982
201	201, 361	201, 271, 363	159, 201, 271, 274	376	376	CH. 8 L. 1981 E2
1838	1838	1839	1606-1608	2574	2574	CH. 38 L. 1982 E1
1839, 1842, 1989	1990	1990	1606-1608, 1840, 1909	2574	2574	CH. 39 L. 1982 E1

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR, SUBJECT	House Messages	Introduction 1st Reading Referred	Report of Committee
800. Committee on Appropriations-Education and Representative McDonald: Eliminating explicit state support of traffic safety education and transferring funds to support of common schools.	137	137	.....
804. (SUBSTITUTE) Committee on Ways and Means: Pertaining to the Milwaukee railroad.	378	.....	.....
808. (SUBSTITUTE) Committee on Appropriations-Human Services: Providing for a 500-man medium security correction center.	203, 495, 1703, 2012, 2045	204, 505, 1705	1089
810. (SUBSTITUTE) Committee on Appropriations-General Government and Compensation: Expanding authority of department of general administration as it pertains to state facilities.	792	793	1012
811. (ENGROSSED SUBSTITUTE) Committee on Ways and Means: Reducing appropriations to state agencies.	158, 345	159	203, 276
820. (ENGROSSED SUBSTITUTE) Committee on Human Services: Defining crimes concerning imitation controlled substances.	687	687	.....
822. (ENGROSSED) Committee on Appropriations-General Government and Compensation and Representative Williams: Modifying filing officer's duties and filing fees for amendments under Article 9 of the UCC.	644	646	1013, 1192
823. (SUBSTITUTE) Committee on Ethics, Law and Justice: Requiring notice to property owner and occupant before issuing local improvement assessment deeds.	818, 1276	823	1013
824. (SUBSTITUTE) Committee on Financial Institutions and Insurance: Modifying provisions relating to assignment of dental insurance benefits.	991, 1276	992	1044
825. (ENGROSSED) Representatives Nickell, Rosbach and Stratton: Authorizing blue lights on enforcement vehicles of department of fisheries and game.	546	567	.....
826. Representatives Ellis, Bickham and Armstrong: Establishing Washington law revision commission.	792	793	1057
828. (SECOND SUBSTITUTE) Committee on Ways and Means: Continuing compensation for crime victims.	1091, 1703, 1758	1092, 1705	1458
829. Representatives Padden, Mitchell, James and others: Restricting the ability of local public officials to mail campaign material at public expense.	818, 1703	819, 1705	1089
832. Committee on Agriculture and Representative Padden: Authorizing energy conservation programs by irrigation districts.	660	660	909
833. (ENGROSSED SUBSTITUTE) Committee on Financial Institutions and Insurance: Modifying provisions relating to savings and loan associations.	751	751	929
834. (SUBSTITUTE) Committee on Natural Resources and Environmental Affairs: Modifying penalties for violations of game laws.	792	793	1089
835. (SUBSTITUTE) Committee on State Government: Directing that statutes and administrative rules be written in simple, clear, and concise language.	660	661	816

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR, SUBJECT	House Messages	Introduction 1st Reading Referred	Report of Committee
836. Committee on State Government and Representatives Addison, Nisbet, Mitchell and others: Studying feasibility of veterans' memorial parks and cemeteries. . . .	1045	1046	1118
837. (SUBSTITUTE) Committee on State Government: Providing incentive pay for state employees.	644, 1523	646	816
840. (SUBSTITUTE) Committee on Revenue: Increasing the sales tax exemption permit fee.	792, 1681	793, 1682	1738
841. Committee on Natural Resources and Environmental Affairs and Representatives Rosbach, Johnson and Dawson (by Department of Fisheries request): Extending the buy-back program for commercial salmon fishing vessels.	589	607	1192
842. (ENGROSSED) Committee on Natural Resources and Environmental Affairs and Representatives Rosbach (by Department of Fisheries request): Modifying provisions relating to crab fishing.	644	646	.....
844. (ENGROSSED) Representatives Ellis, Johnson and Maxie: Authorizing public agencies to contract with collection agencies.	546	567	765
847. Representatives Barnes and Scott: Revising maximum interest paid by operating agencies.	462, 491	468	.....
848. (SUBSTITUTE) Committee on Human Services: Modifying provisions relating to child welfare services. . .	991	992	1118
849. (SUBSTITUTE) Committee on Education: Making miscellaneous changes in laws relating to education. .	737, 1523	738	1070
851. Committee on Human Services and Representative Mitchell (by Department of Social and Health Services request): Modifying eligibility for services for the developmentally disabled.	818, 1558	819	1094
852. (SUBSTITUTE) Committee on Human Services: Modifying provisions relating to nursing homes.	991	992	1119
854. Committee on Transportation and Representative Wilson (by Department of Transportation request): Permitting motor fuel distributors to omit gas tax from the selling price.	792, 1674	793, 1675	1013
855. (SUBSTITUTE) Committee on Local Government: Revising laws regulating audits of municipal corporations.	589	607	1090
857. (ENGROSSED SUBSTITUTE) Committee on State Government: Permitting audits by private accounting firms.	687, 1681	687, 1682	.....
859. Representatives Barnes, Nelson (D.), Vander Stoep and others: Setting time limits for approval of certain permits under the environmental coordination procedures act.	991, 1523	992	1070
864. Committee on Ethics, Law and Justice and Representative Ellis: Establishing a task force on court congestion. .	660, 1558	661	1057
865. Committee on Appropriations-General Government and Compensation and Representatives Williams, North and Stratton: Appropriating funds for establishment of a boat moorage fee program at selected state parks. .	644	646	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

2nd Reading and Amendments	3rd Reading	Vote on Final Passage	Other Action	Signed by House Speaker	Signed by President of Senate	Action by the Governor
1184	1186	1186	.....	1545	1546	CH. 167 L. 1982
1813	1813	1813	a	1844	1883	CH. 5 L. 1982 E1
.....
1159	1160	1160	.....	1193	1193	CH. 65 L. 1982
468, 471, 485	485	486	467, 470, 473	491	491	CH. 1 L. 1982
1459	1460	1460	.....	1546	1546	CH. 118 L. 1982
1307, 1328, 1337	1339	1339	1308, 1328, 1339	1546	1546	CH. 191 L. 1982
1311, 1403	1312, 1404	1404	1312, 1403	1583	1584	CH. 224 L. 1982 P.V.
1633	1634	1634	.....	1655	1658	CH. 120 L. 1982
1305, 1791	1306, 1792	1306, 1793	1721	1844	1883	CH. 6 L. 1982 E1
1450	1450	1451	.....	1523	1523	CH. 206 L. 1982
.....
1335	1335	1336	.....	1545	1546	CH. 179 L. 1982
1390	1390	1390	.....	1583	1584	CH. 187 L. 1982
.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR, SUBJECT	House Messages	Introduction 1st Reading Referred	Report of Committee
868. (SUBSTITUTE) Committee on Appropriations-Education: Modifying distribution procedures of federal forest funds.	686	687	1192
869. (SUBSTITUTE) Committee on Education: Authorizing school districts to issue bonds for purchase of pupil transportation vehicles.	660, 1681	661, 1682	.....
870. (ENGROSSED SUBSTITUTE) Committee on Institutions: Providing for confinement of juveniles in group homes.	818	819	.....
871. (SUBSTITUTE) Committee on Labor and Economic Development: Modifying provisions relating to funeral directors.	818	820	1119
874. (SUBSTITUTE) Committee on Institutions: Modifying provisions relating to sentencing of criminal offenders.	686, 1523	687	1057
875. (ENGROSSED SUBSTITUTE) Committee on State Government: Providing for review of certain agencies under the Sunset Act.	737, 1276	738	1013
878. (SUBSTITUTE) Select Committee on Deregulation and Productivity: Expanding business license program including creating business license center.	644, 1427	646	929
883. Representatives Garson, Clayton, Martinis and others: Limiting liability for persons rendering aid in hazardous materials incidents.	818	820	929
884. Committee on Ethics, Law and Justice and Representative Ellis (by Code Reviser request): Correcting double amendments to various statutes.	495	505	575
885. (REENGROSSED) Representatives Patrick, O'Brien, Wilson and others: Modifying cigarette taxes.	818, 1681	820, 1682	.....
887. (SUBSTITUTE) Committee on Ethics, Law and Justice: Enlarging class of civil actions which may be subject to mandatory arbitration.	991	993	1057
888. (SUBSTITUTE) Committee on State Government: Making general election ballots uniform.	686, 1651	688	1013
890. (SUBSTITUTE) Committee on Local Government: Raising minimum bidding requirements for fire districts.	991	993	1192
891. (SUBSTITUTE) Committee on Financial Institutions and Insurance: Modifying regulation of medicare supplemental insurance policies.	818, 1523	820	1045
892. (ENGROSSED SUBSTITUTE) Committee on Financial Institutions and Insurance: Clarifying laws governing underinsured motor vehicle coverage.	818	820	1090
893. (SUBSTITUTE) Committee on Agriculture: Eliminating portion of liquor tax imposed for wine research.	792	793	.....
894. Representatives Rosbach, Monohon, Williams and others: Appropriating funds for razor clam programs.	991	993	1222
896. Representatives Tilly, Stratton, Nickell and North: Revising laws regulating snowmobiles.	818	820	1013
897. Representatives Armstrong and Ellis: Providing for jurisdiction in arbitration cases.	546	567	816
898. (SUBSTITUTE) Committee on Ethics, Law and Justice: Prohibiting carrying firearms or dangerous weapons on to school premises.	792	793	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR, SUBJECT	House Messages	Introduction 1st Reading Referred	Report of Committee
900. (ENGROSSED SUBSTITUTE) Committee on Agriculture: Repealing laws regulating size and weights of bread loaves.	818	820	.....
902. (SUBSTITUTE) Committee on Financial Institutions and Insurance: Revising laws relating to insurance. .	818, 1558	820	1070
905. (ENGROSSED SUBSTITUTE) Committee on Ethics, Law and Justice: Providing for joint child custody. .	792	794	1045
906. (SECOND SUBSTITUTE) Committee on Ways and Means: Creating community economic revitalization board.	1276, 1681, 2516	1278, 1682	.....
907. Committee on Ethics, Law and Justice and Representative Ellis: Modifying laws governing office of administrative hearings.	792, 1523	794	1045
914. (SUBSTITUTE) Committee on Natural Resources and Environmental Affairs: Clarifying procedures for reviewing shoreline permits.	991	993	.....
915. (ENGROSSED) Committee on Transportation and Representatives Ellis, Wilson and Johnson: Exempting used cars sold by a dealer from emission control testing.	1223	1223	1371
916. Committee on Ethics, Law and Justice and Representatives Ellis and Wang: Modifying interest rate on judgments.	546, 1523	567	1045
920. (SUBSTITUTE) Committee on State Government: Establishing an occupational information service. . . .	686, 1201	688	817
922. (ENGROSSED SUBSTITUTE) Committee on Institutions: Authorizing parole board to reduce prison overcrowding.	751, 1651	766	1090
923. (ENGROSSED SUBSTITUTE) Committee on State Government: Creating a state center for voluntary action.	751, 1519, 1674	751, 1675	1070
926. (REENGROSSED SUBSTITUTE) Committee on State Government: Modifying procedures of human rights commission.	1091, 1681	1092, 1683	.....
931. (SUBSTITUTE) Select Committee on Deregulation and Productivity: Modifying handling of reserved funds for public contracts.	792, 1558	794	1070
932. (SUBSTITUTE) Committee on Agriculture: Deleting irrigation districts from application of certain laws relating to adverse possession.	660	661	.....
933. Committee on Appropriations-General Government and Compensation and Representatives Williams, Ehlers, Nelson (G.) and others (by Legislative Budget Committee request): Modifying provisions on procurement of insurance by state agencies.	991, 1992	993, 1993	1458
934. Committee on Financial Institutions and Insurance and Representative Dawson (by Department of General Administration request): Revising laws relating to credit unions.	792	794	929
935. Committee on Financial Institutions and Insurance and Representative Dawson (by Department of General Administration request): Revising fees for bank examinations.	792, 1674	794, 1675	964

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

2nd Reading and Amendments	3rd Reading	Vote on Final Passage	Other Action	Signed by House Speaker	Signed by President of Senate	Action by the Governor
1323	1326	1326		1584	1584	CH. 181 L. 1982
2433	2433	2433	2432	2542	2542	CH. 40 L. 1982 E1
1340	1350	1351		1545	1546	CH. 189 L. 1982
			1148			
1203	1203	1203		1545	1546	CH. 198 L. 1982
1115	1115	1115		1230	1230	CH. 43 L. 1982
1404, 1437, 1465	1466	1467	751, 1438	1656	1658	CH. 228 L. 1982
1318, 1831	1319, 1832	1319, 1832	1519, 1721	1883	1883	CH. 11 L. 1982 E1
1451	1452	1453		1584	1584	CH. 170 L. 1982
			1117, 1993, 2027			
1376	1376	1377		1455	1457	CH. 67 L. 1982
1377	1377	1377	1721			

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR, SUBJECT	House Messages	Introduction 1st Reading Referred	Report of Committee
936. (ENGROSSED SUBSTITUTE) Committee on Financial Institutions and Insurance: Providing for reorganization to form a bank holding company.	791	794	964
942. Committee on Appropriations-General Government and Compensation and Representatives Williams, Wang and Johnson: Modifying membership requirement on commission on Asian-American affairs.	644	646	817
946. (SUBSTITUTE) Committee on Transportation: Modifying provisions relating to traffic safety commission.	687, 1276	688	817
947. Representatives Fancher and Smith: Changing maximum cattle assessments.	792	794	909
950. Representatives Berleen and Kaiser (by Governor Spellman request): Modifying provisions relating to health care facilities authority.	1045	1046	1119
955. Committee on Human Services and Representative Mitchell: Revising laws regulating public hospital districts.	737	738	1119
956. (SUBSTITUTE) Committee on Local Government: Modifying provisions on port districts.	737	738	.....
957. (ENGROSSED SUBSTITUTE) Committee on Local Government: Modifying provisions on competitive bidding for counties.	751	751	1090
960. Committee on State Government and Representative Addison (by Office of Archaeology and Historic Preservation request): Authorizing fees for consulting services rendered by office of archaeology and historic preservation.	792	794	1014
961. (SUBSTITUTE) Committee on Revenue: Modifying provisions on property tax exemptions.	792	794	.....
964. Committee on Revenue and Representative Greengo: Modifying provisions on real estate excise taxation.	792	795	1388
965. (SUBSTITUTE) Committee on Institutions: Authorizing request of local law enforcement agencies assistance during prison riots.	818	820	1090
966. Committee on Institutions and Representatives Houchen, Owen, Struthers and Clayton (by Department of Corrections request): Modifying time limits for furloughs for residents of state correctional institutions.	818	820	.....
967. Committee on Institutions and Representatives Houchen, Owen, Struthers and Clayton (by Department of Corrections request): Providing additional conditions for prisoners' leave of absence.	818, 1519, 1674, 1974	821, 1675	1119
968. Committee on Institutions and Representatives Houchen, Owen and Struthers (by Department of Corrections request): Defining correctional institutions that contain prisoners sentenced from other jurisdictions.	737	739	1090
970. Committee on Institutions and Representatives Houchen, Owen, Struthers, Clayton and Hastings (by Department of Corrections request): Providing for warrants of arrest for escaped prisoners.	818	821	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR, SUBJECT	Introduction		Report of Committee
	House Messages	1st Reading Referred	
973. (ENGROSSED SUBSTITUTE) Committee on Human Services: Providing for reduced temperature settings of residential water heaters.	1147	1148	1229
977. (SUBSTITUTE) Committee on Economics Development: Enacting business and industrial development corporations act.	1015, 1703	1015, 1705	.....
980. Committee on Human Services and Representative Mitchell (by Department of Social and Health Services request): Modifying energy allowance for public assistance recipients.	991	993	1119
986. (ENGROSSED) Committee on Appropriations-General Government and Compensation and Representatives Williams, Wang, McDonald and others: Modifying provisions relating to retirement from public service. ...	687	688	.....
987. (ENGROSSED SECOND SUBSTITUTE) Committee on Appropriations-General Government and Compensation: Placing limitations on certain payments to school employees.	792, 1704, 1758	795, 1705	1222
991. Representatives Van Dyken, Bond, Fiske and others: Providing relief from sales and use taxes paid upon bad debts.	818, 1704	821, 1705	.....
997. Representatives McDonald, Chandler, Salatino and others: Abolishing forty percent validation requirement for school districts in certain bond elections, but contingent upon passage of constitutional amendment. ...	1157	1158	.....
999. Representatives Fiske, Lundquist and McDonald: Authorizing island library districts.	737	739	1091
1000. Committee on Education and Representative Vander Stoep: Authorizing pilot program for four day work week in schools.	992	993	.....
1002. (ENGROSSED) Representatives McCormick, Wilson, Martinis and Erak: Extending annual license fee on use of natural gas and propane in motor vehicles.	992, 1992	993, 1993	1014
1006. (SUBSTITUTE) Committee on Local Government: Revising law on compensation for taking of property by governments.	991, 1651	993	1070
1007. (SUBSTITUTE) Committee on Local Government: Revising procedures for notice of hearings by planning agencies.	991	993	1094
1011. (SUBSTITUTE) Committee on Local Government: Defining and limiting appearance of fairness doctrine.	792, 1523	795	1071
1012. (SUBSTITUTE) Committee on Appropriations-General Government and Compensation: Authorizing fees for surveys and maps supplied from DNR.	1045, 1651	1046	1192
1013. Committee on Labor and Economic Development and Representatives Nelson (G.), Sanders, King (J.) and others: Establishing a limited small business innovators opportunity program.	687	688	791
1014. (SUBSTITUTE) Select Committee on Deregulation and Productivity: Delineating restrictions on taxing powers of counties, cities, and towns.	792, 1738	795, 1738	1149, 1782, 1789, 2004

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

2nd Reading and Amendments	3rd Reading	Vote on Final Passage	Other Action	Signed by House Speaker	Signed by President of Senate	Action by the Governor
1614	1614	1614	.....	1653	1658	CH. 127 L. 1982
1593, 1749	1595, 1751	1595, 1751	1721	1782	1782	CH. 10 L. 1982 E1 P.V.
.....	.....	.....	SCR 149	.....	.....	.....
1458	1458	1459	.....	1545	1546	CH. 123 L. 1982
.....	.....	.....	SCR 149	.....	.....	.....
1447	1449, 1456	1456	1450	1653	1658	CH. 232 L. 1982
1310, 1380	1385	1386	1311	1545	1546	CH. 229 L. 1982
1467	1467	1468	.....	1653	1658	CH. 165 L. 1982
1165	1165	1166	.....	1193	1193	CH. 44 L. 1982
2467	.....	.....	SCR 149 1996, 2434, 2476	.....	.....	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR, SUBJECT	House Messages	Introduction 1st Reading Referred	Report of Committee
1015. (SUBSTITUTE) Committee on Ways and Means: Providing for construction of state convention and trade center.	818, 1201	821	961
1017. Representatives Barrett, Granlund, Bickham and others: Modifying law on camping clubs.	737, 1276	739	964
1023. Representatives Erak, Wilson, Thompson and others: Increasing fee for driving record abstracts.	1045, 1992	1046, 1993	1192
1024. (SUBSTITUTE) Committee on Select Committee on Deregulation and Productivity: Requiring use of sheltered workshops for printing services for state agencies and departments under certain circumstances.	737, 1558	739	1014
1033. Committee on Labor and Economic Development and Representatives Sanders and Clayton: Modifying provisions relating to unemployment compensation.	792	795	.....
1036. Committee on Higher Education and Representative Teutsch: Implementing law relating to vendor payments by treasurer for state board for community college education.	737	739	817
1039. (ENGROSSED SUBSTITUTE) Committee on Appropriations-General Government and Compensation: Removing authority of state liquor stores to sell beer and wine.	1389, 1704	1389, 1706	1789
1041. (SUBSTITUTE) Committee on Agriculture: Applying marketing contract provisions to foreign agricultural cooperative associations.	818	821	909
1047. (SUBSTITUTE) Committee on Human Services: Authorizing dentists qualified in anesthesiology to administer anesthetics for any operation.	818	821	1119
1048. (SUBSTITUTE) Select Committee on Child Abuse: Modifying provisions relating to child abuse and family offenses.	792	795	.....
1053. (ENGROSSED SUBSTITUTE) Committee on Energy and Utilities: Modifying requirements on procurement of materials, equipment, supplies, and work by joint operating agencies contracting, improving, or operating electrical facilities.	1313, 1753	1313, 1754	1757
1058. (ENGROSSED) Committee on Labor and Economic Development and Representatives Sanders, Clayton, King (J.) and Warnke (by Department of Labor and Industries and Legislative Budget Committee request): Modifying provisions relating to the department of labor and industries.	737	739	.....
1063. (SUBSTITUTE) Committee on Labor and Economic Development: Modifying provisions relating to alcoholic beverages.	792, 1558	795	1120
1066. Committee on Institutions and Representative Houchen: Modifying provisions relating to criminal justice training commission.	737	739	1057
1067. Committee on Transportation and Representatives Garrett and Wilson: Updating statutory references within the Model Traffic Ordinance.	818	821	1014
1069. (SUBSTITUTE) Committee on Human Services: Making autopsies mandatory in certain cases.	992	994	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR, SUBJECT	House Messages	Introduction 1st Reading Referred	Report of Committee
1071. Representatives Erak, Rosbach, Owen and others: Allowing commercial fishermen to sell fish directly to consumers from their boats once in port.	991	994	1222
1072. Committee on Institutions and Representatives Ellis and Vander Stoep: Designating a portion of a state-employed chaplain's salary as rental value for a home.	1045	1046	1120
1074. Representative Smith: Authorizing banks or trust companies to make certain investments.	1015	1015	1091
1078. Representatives Prince, Grimm and Amen: Appropriating funds for a waste water treatment plant at Washington State University.	1045	1046	. . . . .
1080. Representatives Struthers, Williams, Granlund and others: Providing for distribution of session laws and House and Senate journals.	1045	1046	. . . . .
1084. Committee on Education and Representative Taylor (by State Board of Education request): Clarifying law relating to terms and qualifications of state board of education members.	792, 1675, 1765	795, 1676	1091
1087. (ENGROSSED) Committee on Appropriations—General Government and Compensation and Representative Williams: Providing for salmon enhancement projects.	818	821	1045
1092. Representatives Struthers, Hastings and McGinnis: Modifying unfair cigarette sales act.	1276, 1704, 1972	1313, 1706	1544
1098. (REENGROSSED SUBSTITUTE) Committee on Natural Resources and Environmental Affairs: Providing for review of decisions of department of ecology concerning adjustments to local government master programs.	1091	1092	. . . . .
1099. Committee on Appropriations—General Government and Compensation and Representative Williams: Revising forest fire protection assessments.	2086	2087	. . . . .
1102. (ENGROSSED SUBSTITUTE) Committee on Labor and Economic Development: Implementing law relating to control of gambling.	1223, 1704	1223, 1706	1275
1103. (ENGROSSED SECOND SUBSTITUTE) Committee on Appropriations—General Government and Compensation: Providing for a state lottery.	1546, 1704	1706	. . . . .
1105. (ENGROSSED SUBSTITUTE) Committee on Appropriations—Human Services: Modifying appropriations to department of social and health services.	1091, 1704	1092, 1706	. . . . .
1109. (SUBSTITUTE) Committee on Ways and Means: Modifying provisions relating to budget stabilization account.	1276, 1704, 2289	1278, 1706	1916
1119. Committee on Ethics, Law and Justice and Representatives Tupper, Granlund, Ellis and Salatino: Requiring shifts in campaign funds to be reported on a separate page of public disclosure report.	792	795	. . . . .
1123. Committee on Labor and Economic Development and Representative Berleen: Modifying provisions relating to gambling.	991	994	. . . . .
1122. (SUBSTITUTE) Committee on Ethics, Law and Justice: Requiring legislators to report the receipt of honorariums.	818	821	. . . . .

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR, SUBJECT	House Messages	Introduction 1st Reading Referred	Report of Committee
1125. (SUBSTITUTE) Committee on Ethics, Law and Justice: Limiting fund raising activities during legislative sessions.	792	795	1071
1128. (SUBSTITUTE) Committee on Ethics, Law and Justice: Enacting the uniform unclaimed property act. .	1157	1158	.....
1129. Committee on Education and Representatives Amen, Armstrong, Taylor and Johnson (by State Board of Education request): Redefining relationship of superintendent of public instruction to the state board of education.	792	796	.....
1130. (SUBSTITUTE) Committee on Appropriations—General Government and Compensation: Funding uniform crime reports program of sheriffs and police chiefs association.	991	994	1193
1131. (SUBSTITUTE) Committee on Agriculture: Revising Commercial Feed Act.	818, 1523	821	1091
1134. (ENGROSSED SUBSTITUTE) Committee on Local Government: Modifying provisions relating to division of land.	1045	1046	.....
1140. (SUBSTITUTE) Committee on Local Government: Relating to prepayment of local sales and use taxes and use of such tax revenues to mitigate socioeconomic impacts of large construction projects.	1091, 1704	1092, 1706	.....
1141. (ENGROSSED SUBSTITUTE) Committee on Labor and Economic Development: Providing for establishment of export assistance centers.	1704	1706	.....
1144. Committee on Institutions and Representatives Huchen, Amen and Barr: Establishing criteria for state funding of remodeling jails for use as holding facilities.	818	822	1091
1145. Committee on Local Government and Representative Isaacson: Modifying provisions relating to special purpose districts.	1015, 1704, 1972	1015, 1706	1351
1149. (ENGROSSED SUBSTITUTE) Committee on Labor and Economic Development: Modifying state fireworks law.	1015, 1651	1015	1193
1150. (SUBSTITUTE) Committee on Human Services: Modifying laws regulating fitting and dispensing hearing aids.	1276	1278	.....
1156. (ENGROSSED SUBSTITUTE) Committee on Local Government: Permitting establishment of cultural arts, stadium, and convention districts.	818, 1704	822, 1706	1149
1158. (SUBSTITUTE) Committee on Appropriations—Human Services: Authorizing voluntary contributions to offset cost of care provided to publicly supported nursing home patients.	1610, 1704	1707	.....
1162. Committee on Appropriations—General Government and Compensation and Representative Williams: Providing for an intensive management plan for geoducks. . . .	992	994	1222
1165. (SUBSTITUTE) Committee on State Government: Modifying boards and commissions based on revised congressional districts.	1610, 1704	1707	1789

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

2nd Reading and Amendments	3rd Reading	Vote on Final Passage	Other Action	Signed by House Speaker	Signed by President of Senate	Action by the Governor
.....
.....
.....
1602	1602	1602	.....	1652	1653	CH. 125 L. 1982
1336	1337	1337	.....	1545	1546	CH. 177 L. 1982
.....
.....	.....	.....	SCR 149	.....	.....	.....
.....
1319	1320	1320	.....	1372	1372	CH. 87 L. 1982
1616, 1793, 1811	1633, 1812	1633, 1812	1721, 1810	1992	1993	CH. 17 L. 1982 E1
1468	1469	1470	.....	1653	1658	CH. 230 L. 1982
.....
1811, 1858, 1889, 1913	1868, 1914	1869, 1915	SCR 149 1811, 1870, 1887-1889	2005	2005	CH. 22 L. 1982 E1
1858, 2158	.....	.....	SCR 149 2088, 2160	.....	.....	.....
1599	1599	1599	.....	1652	1653	CH. 180 L. 1982
2039	2039	2039	SCR 149 2040	2045	2045	CH. 30 L. 1982 E1

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR, SUBJECT	House Messages	Introduction 1st Reading Referred	Report of Committee
1173. (ENGROSSED) Committee on Local Government and Representatives Isaacson, Hine, Sommers and others: Revising laws relating to board of trustees of a hospital operated under chapter 36.62 RCW	1015	1015	.....
1174. Committee on Ways and Means and Representatives Chandler and Wang: Requiring joint operating agencies to pay the costs of elections authorizing the sale of bonds for major public energy projects.	992	994	1071
1178. (ENGROSSED) Committee on Local Government and Representative Isaacson: Restricting use of electrical inspection fees of cities and towns.	1276	1278	.....
1180. Representatives Lundquist and Fiske: Permitting certain counties to choose commissioners from districts with unequal populations.	992	994	.....
1216. (SUBSTITUTE) Committee on Ways and Means: Authorizing institutions of higher education to purchase private sector services.	2005	2005	2219
1217. (ENGROSSED SUBSTITUTE) Select Committee on Deregulation and Productivity: Modifying provisions on joint operating agencies.	1704, 2086, 2292, 2320, 2452, 2527	1313, 1707	1844
1226. (ENGROSSED SUBSTITUTE) Committee on Appropriations—General Government and Compensation: Modifying provisions relating to public employees.	1884, 2295	1884	2219
1230. (ENGROSSED SUBSTITUTE) Committee on Ways and Means: Modifying appropriations for capital facilities.	2221, 2574	2221	2330
1231. Committee on Local Government and Representatives Isaacson, Hine and Eberle and others: Authorizing consideration by local government of local excise tax revenues arising from local purchases in awarding purchase contracts.	1276, 1992	1278, 1994	.....
1243. Committee on Revenue and Representatives Greengo, Thompson, Ellis and others: Exempting purchase of food by food banks from sales and use tax.	2665	2665	.....
1245. Committee on Ways and Means and Representative Chandler: Extending timber tax to timber harvested from public lands.	2663	2663	.....
1246. Committee on Ways and Means and Representatives Nelson (G.), Isaacson, Kaiser and Stratton: Repealing the single cell requirement for the Shelton correctional institution and reinstating it July 1, 1985.	2669	2713	.....
1247. Committee on Ways and Means and Representative Chandler: Modifying repayment schedules under economic assistance act.	2663	2664	.....
1248. Committee on Ways and Means and Representative Chandler: Modifying public utility tax rate of natural gas distributors.	2665	2666	.....
1249. Committee on Ways and Means and Representative Struthers: Modifying provisions relating to nursing home auditing and cost reimbursement system.	2665	2666	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

2nd Reading and Amendments	3rd Reading	Vote on Final Passage	Other Action	Signed by House Speaker	Signed by President of Senate	Action by the Governor
1464	1464	1465	.....	1545	1546	CH. 88 L. 1982
.....
.....
.....	.....	.....	2219 SCR 149 2086	.....	.....	.....
1889, 2454- 2455, 2527	1901, 2530	1902, 2530	2292, 2320, 2452, 2462	.....	.....	.....
.....	.....	.....	.....	.....	.....	CH. 53 L. 1982 E1 P.V.
2251	2281	2282	2220 2359,	2295	2295	CH. 48 L. 1982 E1 P.V.
2330, 2362	2360, 2361, 2391, 2550	2392, 2552	2360, 2362, 2393, 2549	2587	2587	.....
.....	.....	.....	SCR 149	.....	.....	.....
2665	2665	2665	2666	2669	2669	CH. 3 L. 1982 E2
2663	2663	2663	2664	2669	2669	CH. 4 L. 1982 E2
2713	2713	2713	.....	2716	2716	CH. 2 L. 1982 E2
2664	2664	2664	2664	2669	2669	CH. 6 L. 1982 E2
2666	2666	2666	.....	2669	2669	CH. 5 L. 1982 E2
2667	2667	2667	.....	2669	2669	CH. 1 L. 1982 E2

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR, SUBJECT	House Messages	Introduction 1st Reading Referred	Report of Committee
1251. (ENGROSSED) Committee on Human Services and Representatives Struthers, Monohon, Erak and others: Establishing a state lottery.	2716	2717	.....
1253. (ENGROSSED) Committee on Ways and Means and Representative Chandler: Modifying provisions relating to the capitol purchase and development account. . .	2716	2717	.....
1255. Committee on Appropriation-Education and Representative Nelson (G.): Modifying provisions relating to public employees.	2716	2755	.....
1257. Committee on Appropriations-Education and Representative Struthers: Modifying provisions relating to institutions of higher education.	2716	2757	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

2nd Reading and Amendments	3rd Reading	Vote on Final Passage	Other Action	Signed by House Speaker	Signed by President of Senate	Action by the Governor
2717	2717	2718	.....	2758	2758	CH. 7 L. 1982 E2
2717	2717	2717	.....	2758	2758	CH. 8 L. 1982 E2
2755	2756	2756	2757	.....	.....	.....
.....	.....	.....	2757	.....	.....	.....

TITLE AND HISTORY OF HOUSE JOINT MEMORIALS

NUMBER, SPONSOR AND SUBJECT	Message from House	Introduction First Reading Referral
1. Representatives Tilly, Padden, Leonard and others: Requesting Congress to amend the Constitution to require a balanced federal budget. . .	1222	1351
14. Representatives Flanagan, Polk, Scott and others: Requesting mutually beneficial foreign trade agreements.	516	520
15. Committee on State Government and Representative Lewis: Requesting that the U.S. postal service issue a stamp commemorating eruption of Mt. St. Helens.	495	505
20. Representatives Lundquist, Nickell, Schmidt and others: Requesting federal government settle and acquire tribal claims and rights to the fish and natural resources located in the state.	818	822
22. (ENGROSSED) Committee on Ways and Means and Representatives Chandler, Williams and Johnson: Requesting passage of an enterprise zone act.	982	984
24. Representatives Berleen, McCormick, Dickie and others: Requesting end of mandatory vehicle emission testing.	1276	1278

TITLE AND HISTORY OF HOUSE JOINT RESOLUTIONS

NUMBER, SPONSOR AND SUBJECT	Message from House	Introduction First Reading Referral
13. (ENGROSSED SUBSTITUTE) Committee on Ways and Means: Modifying fiscal provisions of state constitution.	1276, 1704	1278, 1707
20. Representatives McDonald, Chandler, Salatino and others: Removing forty percent validation requirement for excess levy elections.	1147	1148

TITLE AND HISTORY OF HOUSE JOINT RESOLUTIONS

Report of Committee	2nd Reading and Amendments	3rd Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of House	Signed by President of Senate
1916, 1971	2094	2095	2095	SCR 149, 2095, 2215	.....	.....
.....

TITLE AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS

NUMBER, SPONSOR AND SUBJECT	Message from House	Introduction First Reading Referral
30. Representative Nelson (G.): Directing a joint session of the legislature.	4	4
31. Representative Nelson (G.): Carrying over bills from the first extraordinary session.	24	24
32. Representative Nelson (G.): Calling joint session of legislature to hear governor's address.	394	394
33. Representatives Fiske, Thompson and Wilson: Establishing joint select committee on telephone systems.	462, 516	470
34. Representative Nelson (G.): Calling joint session for distinguished Canadians.	478	485
36. Representative Nelson (G.): Calling a joint session for distinguished Japanese.	611	611
37. Representatives Williams, Dawson, Galloway and others: Urging state investment board to make investments to stimulate state's economy.	687, 1704	688, 1707
42. (ENGROSSED) Representatives Rosbach, Martinis, Nisbet and others: Requesting modification of state timber sales procedures.	1610	1610
47. Representatives Dawson, Ehlers, Johnson and others: Congratulating NORAD.	1370	1370
48. Representative Nelson (G.): Notifying governor that the legislature is about to adjourn Sine Die.	1654	1654
49. Representative Nelson (G.): Notifying governor that the legislature is organized and ready to conduct business.	1665	1665
50. Representatives Rosbach, Flanagan, Padden and others: Forming a joint committee to study laws relating to search for and development of oil and gas in the state.	2574	2575
52. Representatives Eberle, King (R.), Prince and Walk: Prescribing procedures for legislative review of agency rules.	2574	2576
53. Representatives Nelson (G.) and Ehlers: Providing plans for organization of interim activities of the legislature.	2574	2576
54. Representative Nelson (G.): Notifying governor the legislature is about to adjourn Sine Die.	2645	2645
55. Representatives Nelson (G.) and Ehlers: Notifying governor that the legislature is organized and ready to transact business.	2657	2657

TITLE AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS

Report of Committee	2nd Reading and Amendments	3rd Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of House	Signed by President of Senate
.....	4	4	4	.....	26	26
.....	24	25	25	.....	26	26
.....	394	394	394	.....	405	405
.....	470	470	471	467, 539	532	535
.....	485	485	485	.....	491	491
.....	611	611	611	.....	644	646
.....	688	688	.....	688, 1707	1844	1883
.....	1611	1611	1612	1611-1612	1652	1653
.....	1371	1371	1371	1371	1408	1409
.....	1654	1654	1654	1654	1674	1677
.....	1666	1666	1666	1666	1675	1677
.....	2574	2574	2574	.....	2644	2644
.....	2576	2576	2576	.....	2644	2644
.....	2576	2576	2577	.....	2644	2644
.....	2645	2645	2645	2645, 2648	2648	2648
.....	2657	2657	2657	2657	2659	2659

TOPICAL INDEX

AARON, PHILIP

Member, sentencing guidelines commission, GA 514, confirmed 15,494,871

ABANDONED PROPERTY

Mobile homes, tenancy abandonment procedures prescribed: SB 4941

Port districts, moorage facilities, rentals, use, regulations adoption authorized, enforcement procedures establishment permitted: Sub SB 4014

Tenancy abandonment, property disposal provisions, modified: SB 4557

Unclaimed property, disposition, time period reduced: *Sub HB 766, CH 1 E2 (1981)

Unclaimed property, uniform act, enacted: SB 4391, Sub HB 1128

ABORTION

Infant, born alive during abortion procedure, immediate medical treatment required: SB 3370

Medical care services, DSHS, prohibited, exemptions specified: 2nd Sub HB 756

Unemancipated minor, parents, guardian notification, if possible: Sub HB 226

Woman, informed consent requirement: Sub HB 226

ABSTRACTS

Driving records, fees increased: HB 1023

Speeding violations, 55-70 mph, freeways, insurance abstract exclusion, abstract use violation, misdemeanor: SB 3518, Sub SB 3518

ABUSE (See also CHILD ABUSE)

Dependent persons, adult, report procedures: Sub SB 3582

ACCIDENTS

Hazardous materials, incident command agencies, emergency assistance agreements, authorized, conditions specified: *HB 883, CH 172 (1982)

Motor vehicles, fire fighters, WSP, law enforcement officers, official business, employment driving record, report required: *SB 3233, CH 52 (1982)

Motor vehicles, insurance, mandatory liability coverage required: Sub HB 892, SB 3244

Motor vehicles, insurance, underinsured coverage, hit and run, phantom vehicles, as defined, deductible amount: SB 3244

Railroad trespassers, injury, death, employee liability immunity: *SB 4512, CH 141 (1982)

Railroad trespassers, injury, death, railroads, employees liability immunity: HB 114

Vocational rehabilitation, workers' compensation provisions modified, rehabilitation review division created: HB 454, SB 3902

Vocational rehabilitation, workers' compensation provisions modified, rehabilitation review office created, appropriation: *HB 454, CH 63 (1982)

ACCOUNTANTS AND ACCOUNTING

Accountancy board, certain fees requirement deleted, sec 31: Sub SB 4264, *Sub SB 4369, CH 50 E1 (1982)

Accountancy board, termination, sunset act, date established: SB 4626, *Sub HB 875, CH 223 (1982)

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) . . . Passed during 1981 Second Special Session.
- E1 (1982) . . . Passed during 1982 First Special Session.
- E2 (1982) . . . Passed during 1982 Second Special Session.

ACCOUNTANTS AND ACCOUNTING—cont.

- Audits, public agencies, private accounting firms, use permitted, competitive bid requirement: Sub HB 857
- Audits, public agencies, private accounting firms, use permitted, competitive bid requirement, limitations, examinations, fees: Sub HB 857
- CPA examinations, entrance, budget reduction, accountancy board restrictions prohibited, sec 35: *Sub HB 811, CH 14 E2 (1981)

ACCOUNTS – PUBLIC (See also FUNDS – PUBLIC)

- Arson fraud division operating, created: Sub SB 3366
- Arson fraud operating, created: 2nd Sub SB 3366
- Budget stabilization, establishment directed: Sub HJR 13
- Common school support account, created, funds transfer from traffic safety education account: HB 800
- Convention and trade center, nonprofit corporation management, bond issuance, lodging excise tax, appropriation: *Sub HB 1015, CH 34 (1982)
- County mitigation, created, geothermal energy exploration, development, mitigation disbursement prescribed: SB 3779
- Court congestion, created, court congestion reduction act, enacted, bond proceeds, administrator for the courts, bonds issuance authorized: Sub SB 3110
- Employment security, special account of administrative contingency fund, established: SB 4946
- Forest development, timber sales, certain, moneys, deposit requirement: *Sub HB 773, CH 4 E2 (1981)
- Geothermal assessment, created, geothermal exploration, assessment, use, natural resources department, directed: SB 3779
- Geothermal, created, expenditures, distribution, state treasurer, statutory requirements: Sub SB 3779
- Geothermal development, created, geothermal energy development, energy office encouragement, use authorized: SB 3779
- Leasehold excise tax, distribution limitation, transferred as account within general fund: *Sub HB 773, CH 4 E2 (1981)
- Legislative facilities, established, legislative building maintenance: Sub SB 3328
- Local sales and use tax, distribution limitation, transferred as account within general fund: *Sub HB 773, CH 4 E2 (1981)
- Municipal sales and use tax equalization, created, uses prescribed: SB 4421, *SB 4972, CH 49 E1 (1982)
- Natural resources, created: SB 4112
- Nonhigh districts, high school accounts abolished, funds distribution: SB 3449
- Oil and gas conservation revolving, created: Sub SB 4944
- Optician's, balance transferred, general fund: *Sub HB 778, CH 227 (1982)
- Public lands clam management, established, shellfish harvesting fees, certain, purposes prescribed, DNR, fisheries department duties, appropriation: Sub SB 3442
- Puget Sound ferry operations, abolished, ferry system support repealed: SB 4657
- Resource management cost, reimbursement, forest development account use permitted, funds transfer provision, transfer authority termination provision: SB 3466
- School districts, certain, ESD inspection requirement removed: HB 188, SB 3242

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

ACCOUNTS - PUBLIC—cont.

- Surveys and maps, DNR, created: *Sub HB 1012, CH 165 (1982)
- Traffic safety education account, discontinued, common school support account created, school support purposes: HB 800
- Trust lands purchase, general fund transfer, maximum in excess of cash requirements, increased: HB 865, SB 4485, *Sub SB 4369, CH 50 E1 (1982)
- Winter recreation parking, redesignated, winter recreational program, appropriations limitations: HB 386, *SB 3737, CH 11 (1982)

ACTS

- Auctioneer's licensing: *Sub HB 436, CH 205 (1982)
- Business and industrial development corporations: Sub HB 977
- Center for voluntary action: SB 4621, Sub SB 4621, *Sub HB 923, CH 11 E1 (1982)
- Community mental health services: SB 4786, SB 4787, *Sub SB 4786, CH 204 (1982)
- Community redevelopment financing: SB 4603, Sub SB 4603, *2nd Sub SB 4603, CH 42 E1 (1982)
- Construction equipment operator safety licensing: SB 4857
- Cooperative economic development: SB 4990
- Court congestion reduction: Sub SB 3110
- Education enrichment block grant: SB 4693, Sub SB 4693
- Forest products industry employment recovery: SB 4711
- Forest products recovery: *Sub SB 4663, CH 222 (1982)
- Forms reduction: *SB 4559, CH 214 (1982)
- Gasoline price posting: SB 4829
- Neighborhood assistance: SB 4915
- Oil and gas severance and conservation tax: SB 4458
- Plain language consumer contracts: SB 4853
- Prison overcrowding reform: SB 4577, *Sub HB 922, CH 228 (1982)
- Reapportionment and redistricting: SB 3263, Sub SB 3263
- Reduced worktime program: SB 4849
- Regulatory fairness: *HB 385, CH 6 (1982)
- Small business equity corporation: SB 4876
- Small business investment: SB 4874
- Social and health services responsibility: Sub HB 759
- Speech-language pathologists and audiologists: SB 3603, Sub SB 3603
- Transition trust lands revolving fund: Sub SB 4664
- Unfair cigarette sales below cost: *HB 1092, CH 16 E1 (1982)
- Uniform unclaimed property: Sub HB 1128, SB 4391
- Voting boundary commission: SB 4426, *Sub HB 787 CH 2 (1982)

ADHESIVES

- Substances, as specified, smelling, inhaling fumes, unlawful: SB 4736

ADJUTANT GENERAL (See also MILITIA AND MILITARY AFFAIRS)

- Uniform allowance, organized militia, payment option authorized: *SB 3847, CH 93 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

ADMINISTRATIVE HEARINGS OFFICE

Initial decision requirement, revolving fund created, record requirement, appropriation: SB 4832, *HB 907, CH 189 (1982)
 Personnel appeals board, UTC transportation docket hearings excluded: *HB 907, CH 189 (1982)

ADMINISTRATIVE LAW

Discrimination, ordinances against, first class cities, authority, appeal, de novo judicial review: HB 100
 LaRose, David R, chief administrative law judge: GA 485, confirmed . 7,428,864

ADMINISTRATIVE PROCEDURE ACT

County assessors, appeals, hearing requirement: Sub HB 612
 Forms management center, creation authorized, state-wide program coordination, agency responsibilities, GA director authority: SB 4559
 Forms management center, staffing authority, GA director, agencies, cost-effective measures required: SB 4559
 Local government master program adjustments, review provisions, as specified, APA exemption, as specified: Sub HB 1098
 Regulatory fairness act, agencies, economic impact, rules, requirements, conditions prescribed: *HB 385 CH 6 (1982)
 Rule-making notices, statements of purpose, filing procedures revised, statement of purpose, statutory authority requirement, obsolete rules review: *SB 4660, CH 221 (1982)
 Rules, adoption activity, agency responsibility: SB 4643, SB 3269
 Rules, agency review requirements, continuation requirements prescribed, readable language, statutory purpose, advice to public, toll-free telephone number, checks, audits: SB 4858
 Rules, proposed, not considered within legislative intent, rules review committee responsibility, agencies notification: SB 3269
 Rules review, legislative process establishment directed: SB 3269
 Rules review, procedures prescribed: *HCR 52 E1 (1982)
 Rules, statutes, simple, clear, concise language requirement, Flesch reading ease test, minimum score requirement: Sub HB 835
 Statutes, rules, state, legislative committees, free copies allowed, session laws, house, senate journals distribution requirements: *SB 4717, CH 32 E1 (1982)
 Warrants, administrative inspections, issuance, execution, uniform procedures established: SB 4494, Sub SB 4494

ADMINISTRATOR FOR THE COURTS

Court congestion task force, established, members, duties, reimbursement, report submission: *HB 864, CH 187 (1982)
 Crime victims, criminal penalty assessments, annual report requirement: *2nd Sub HB 828, CH 8 E1 (1982)
 Judicial training, programs, standards, transferred from criminal justice training commission, judicial standards training board: SB 4083

ADOPTIONS

Child relinquishment, adoptive parent, agency, prohibited without termination of parent-child relationship: Sub HB 451
 Consent, approval, person under 72 hours old, prohibited: Sub HB 451

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

ADOPTIONS—cont.

- Consent, written, revocation, permitted anytime prior to court approval: Sub HB 451
- Contested termination cases, transfer to court ordered termination law, required: Sub HB 451
- Parent-child relationship, termination: Sub HB 451
- Support, eligibility, maximum age lowered: SB 4645, *Sub HB 848, CH 118 (1982)

ADVERSE POSSESSION

- Irrigation districts, applicability, certain, deleted: Sub HB 932

ADVERTISING

- Controlled substances, imitation, defined, felonies, misdemeanors specified, regulation necessity, advertising, other provisions: Sub HB 820
- Draft beer dispensing equipment, installation, class G, J licensees, provisions: SB 4763, *Sub HB 1063, CH 85 (1982)
- Fair campaign code, enacted, prohibited practices specified, public disclosure commission duties: SB 4869
- Gasoline price posting act, enacted, penalty, misdemeanor provisions: SB 4829
- Look-a-like drugs, imitation drugs defined, felonies, misdemeanors specified, regulation necessity, advertising, other provisions: Sub HB 820
- Political, violations, admitted, promises no further violations, revision, prosecutor, failure to act, injunction proceedings: HB 472
- Real estate, time-sharing regulated, conditions specified, penalties prescribed: SB 3775
- Real estate, time-sharing regulated, conditions specified, penalties prescribed, licensing department appropriation: Sub SB 3775, 2nd Sub SB 3775
- Wine licenses, J, wine dispensing equipment, advertising, manufacturer, wholesaler, importer, installation, service acceptance authorized: Sub SB 4755

AERONAUTICS

- Aeronautics division, local airports, airport system plan, state-owned emergency airports, search and rescue program, DOT appropriation: *Sub SB 3946, CH 25 E1 (1982)
- Aircraft excise tax, changed, revenue department collection schedule preparation requirement: SB 4497
- Aircraft fuel excise tax, rate, computation requirement specified, effective period, gallonage rate specified, exemptions, deposit requirements: SB 3946
- Aircraft fuel excise tax, rate established, exemptions: *Sub SB 3946, CH 25 E1 (1982)
- NORAD, 25th region, McChord, members, past, present, saluted, congratulated: *HCR 47 (1982)
- Recreational flying, aircraft, outdoor recreation, damage, property owners, liability immunity, as defined: SB 4654
- Subdivisions, near airports, DOT secretary notification required: *HB 330, CH 23 (1982)

AGENT ORANGE

- Information, VA department, distribution, physicians, mental health centers, required: *SB 4619, CH 97 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

AGENT ORANGE—cont.

Vietnam veterans, exposure, physicians, hospitals, DSHS, UW medical facilities, attorney general provisions: SB 4687

AGENTS

Insurers, error and omission coverage required, as specified: SB 4861
 Insurers, general revisions: *Sub HB 902, CH 181 (1982)

AGREEMENTS

Civil actions, damages, plaintiffs, defendants, court disclosure required: SB 4678
 Hazardous materials, incident command agencies, emergency assistance agreements, authorized, conditions specified: *HB 883, CH 172 (1982)
 Multistate highway transportation, enacted: SB 4704
 Multistate motor fuel tax, DOT participation authorized, conditions specified: SB 4562, *Sub SB 4562, CH 161 (1982)

AGRICULTURE AND MARKETING (See also LIVESTOCK)

Commercial feed act, general revisions: *Sub HB 1131, CH 177 (1982)
 Commission merchants, horse racing, nonapplicability: *Sub SB 4438, CH 194 (1982)
 Cooperatives, foreign, marketing contract requirements: SB 4830, Sub SB 4830, *Sub HB 1041, CH 45 (1982)
 Farm labor contractors, licensing provisions repealed: HB 1058, SB 4574
 Job service program, reemployment provisions, employment security department appropriation: SB 4946
 Land, annual, perennial roots, vines, bushes, trees, plants, other living plant material, open space, definition inclusion: Sub SB 3522
 Odors, agricultural, certain, clean air act exemption, conditions specified, violations, appeal process, exemption exclusion, land sales, residential purposes: Sub SB 4044
 Pesticides, chlorinated hydrocarbons, use, environmental impact statements required: SB 4918
 Produce, crops, business inventory phase-out exemption freeze: Sub SB 4370
 Products, horses, mules, donkeys, commission merchants definition exclusion removed: SB 4438, *Sub SB 4438, CH 194 (1982)
 Public land, leases, tree fruit, grape production extensions, agriculture, grazing revisions allowed: *Sub SB 4163, CH 54 (1982)
 Wine grape production, industry research, instruction programs, WSU, tax disbursement, agriculture college: Sub SB 3408

AGRICULTURE, COMMITTEE ON (See also COMMITTEE

ASSIGNMENTS; also APPENDIX)

Senator McCaslin, resigned, member, chairman 23
 Senator Newhouse, appointed, chairman 23

AGRICULTURE DEPARTMENT

Agriculture marketing agreements, accounts, annual audit requirement removed: SB 4566
 Agriculture marketing agreements, commissions, annual audit requirement modified: *Sub SB 4566, CH 81 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) ... Passed during 1981 Second Special Session.
 E1 (1982) ... Passed during 1982 First Special Session.
 E2 (1982) ... Passed during 1982 Second Special Session.

AGRICULTURE DEPARTMENT—cont.

- Apple maggot detection program, appropriation specified, reversion provision, sec 64: Sub SB 4264
- Apple processing, assessment, apple commission, levying authorized: SB 4689
- Bread, weight and size standards repealed, weight marking sales requirements: Sub HB 900
- Brucellosis adult vaccinated cattle, retesting requirements: *Sub SB 4046, CH 131 (1982)
- Cattle assessments, increased, exemption provision: *HB 947, CH 47 (1982)
- Cattle assessments, increased, notice publication, state register, newspapers: HB 947, SB 4439, Sub SB 4439
- Commission merchants, agricultural products definition, horses, donkeys, mules, exclusion removed: SB 4438, *Sub SB 4438, CH 194 (1982)
- Commission merchants, horse racing, nonapplicability: *Sub SB 4438, CH 194 (1982)
- Commission merchants, livestock dealers, additional bond requirement: SB 4438, Sub SB 4438
- Commission merchants, livestock dealers, payment requirements: SB 4437
- Commission merchants, livestock dealers, payment requirements, prohibited acts: *Sub SB 4437, CH 20 (1982)
- Cooperatives, foreign, marketing contract requirements: SB 4830, Sub SB 4830, *Sub HB 1041, CH 45 (1982)
- Insect detection and control program, appropriation: *Sub SB 4684, CH 153 (1982)
- Livestock dealers, additional bond requirement: *Sub SB 4438, CH 194 (1982)
- Plant pests, diseases, emergency measures, including aerial application of pesticides, authorized, liability provision: SB 4684, *Sub SB 4684, CH 153 (1982)
- Toxic plants, retail sales, warning labels required, director rules adoption, violations, misdemeanor: SB 4601

AIR FORCE

McChord Field, members of and Colonel Farr, also Colonel Farr pastor Salmon Creek Methodist Church, Vancouver, addressed Senate, guest of Senator Bauer, flag presented 1756

AIR QUALITY (See also POLLUTION CONTROL)

- Motor vehicles, emission control program, mandatory testing, nonattainment areas, repeal urged: HJM 24
- Motor vehicles, emission control program, repealed: SB 4652
- Odors, agricultural, certain, clean air act exemption, conditions specified, violations, appeal process, exemption exclusion, land sales, residential purposes: Sub SB 4044
- Pollution control, tax credits, phase-out deadline established: SB 4393
- Violations, maximum fine increased: SB 4835

ALCOHOL USE AND ALCOHOLISM (See also LIQUOR AND LIQUOR CONTROL BOARD)

Alcohol beverage business, banks, savings and loan associations, institutional investors, financial interest allowed: SB 4729, *Sub HB 1063, CH 85 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) ... Passed during 1981 Second Special Session.
 E1 (1982) ... Passed during 1982 First Special Session.
 E2 (1982) ... Passed during 1982 Second Special Session.

ALCOHOL USE AND ALCOHOLISM—cont.

- Alcohol beverage business, banks, savings and loan associations, state, federal mutual savings banks, institutional investors, financial interest, as specified, allowed: SB 4729
- Alcoholic beverage business, beer, wine, retail business financial interest prohibitions removed: *Sub HB 1063, CH 85 (1982)
- Alcoholic beverage business, importers, wholesalers, financial interest in bottling permitted: *Sub HB 1063, CH 85 (1982)
- Alcoholic beverage business, importers, wholesalers, permitted, financial interests defined: SB 4735
- Alcoholic beverage business, persons with financial interests, retail business financial interest prohibitions repealed: Sub SB 4546
- Alcoholic beverage business (wine), importers, wholesalers, permitted financial interests defined: SB 4546
- Beer and malt liquor, redefined, strong beer defined: *Sub HB 571, CH 39 (1982)
- Beer and wine, licensees, instruction, breweries, wineries, wholesalers, permitted, conditions specified: SB 4526, *SB 4748, CH 26 E1 (1982)
- Clubs, bona fide, organizers, class H liquor license, authorized: SB 4513
- Clubs, bona fide, organizers, class H liquor license, authorized, funds investment, food service requirements, discrimination provision: Sub HB 1063
- Counties, alcoholism, drug abuse programs, provisions modified: SB 4643, *HB 410, CH 193 (1982)
- Draft beer dispensing equipment, advertising, manufacturer, wholesaler, importer, installation authorized, G, J licensees service acceptance authorized: SB 4763, *Sub HB 1063, CH 85 (1982)
- Drivers' licenses, occupational, regular license revoked under implied consent law, issuance permitted (vetoed): HB 537
- Drivers' licenses, occupational, regular license revoked under implied consent law, issuance permitted, as specified: Sub SB 4153
- Drunk drivers, as defined, vehicle forfeiture provisions: Sub SB 4153
- Drunk drivers, mandatory 24-hour imprisonment, probation, diagnostic evaluation, treatment, second conviction provisions: SB 4819, Sub SB 4819, *HB 600, CH 47 E1 (1982)
- Health curriculum, 7th, 8th grades, effects, course requirements: SB 3724
- Hospitals, nursing homes, beer, wine by glass, patients, family members, visitors, offering allowed: *Sub HB 1063, CH 85 (1982)
- Insurance, group health care, disability, HMO, alcoholism, detoxification coverage inclusion: SB 4942
- Liquor purchase, consumption on unlicensed premises, special permit issuance authorized: *Sub HB 1063, CH 85 (1982)
- Minimum age qualifications, all purposes except alcoholic beverage consumption, reduced to eighteen: Sub HB 148
- Restaurants, private members only, class H liquor license authorized, discrimination provision: *Sub HB 1063, CH 85 (1982)
- Schools, liquor license applications within 500 feet, written notice requirement: *Sub HB 1063, CH 85 (1982)
- Spirits, wine, alcohol amount, volume definition: *Sub HB 571, CH 39 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

ALCOHOL USE AND ALCOHOLISM—cont.

- Taverns, cocktail lounges, persons over 18, entrance, food pick up purposes, allowed, unless locally prohibited: Sub HB 1063
- Taverns, no adult entertainment, persons over 18, entrance, food pick up purposes, allowed, unless locally prohibited: Sub HB 1063
- Unemployment compensation, alcoholism, misconduct, not a disqualification defense: *Sub SB 4216, CH 18 E1 (1982)
- Wine, domestic wineries, class J license events, service allowed: SB 4755
- Wine instruction, licensees, wineries, wholesalers, permitted, viticulture, enology study groups, tax payment provision: Sub SB 4526
- Wine licensees, G, J, tasting exhibitions, judging events, manufacturer, wholesaler, importer service provisions: SB 4763
- Wine licensees, G, J, tasting exhibitions, judging events, manufacturer, wholesaler, importer service provisions: *Sub HB 1063, CH 85 (1982)
- Wine licensees, instruction, wineries, wholesalers, permitted, conditions specified: SB 4526
- Wine licensees, instruction, wineries, wholesalers, permitted, conditions specified, viticulture, enology study groups provisions: *SB 4748, CH 26 E1 (1982)
- Wine licenses, J, unopened wine bottle sales permitted, limitations, nonprofit organizations restriction removed: *Sub HB 1063, CH 85 (1982)
- Wine licenses, J, wine dispensing equipment, advertising, manufacturer, wholesaler, importer, installation, service acceptance authorized: Sub SB 4755
- Wine orders, delivery, class P liquor license created, delivery prohibitions: *Sub HB 1063, CH 85 (1982)
- Wineries, domestic, manufacture, retail, wholesale, export sales allowed: SB 4747
- Wineries, domestic, wholesale, retail class J licenses provision: *Sub HB 1063, CH 85 (1982)
- Wineries, domestic, wholesale, retail class J licenses provision, compliance requirement: Sub SB 4747

ALKI POINT

- Wastewater outfall, operation, south of Duwamish Head, DOE funds expenditure prohibited, sec 65 (vetoed): Sub HB 811
- Wastewater treatment outfall, establishment between Alki Point/Dash Point prohibited, conditions prescribed: SB 4482

ALVAREZ, ELOISE

- Member, board of trustees, Big Bend community college district 18, GA 576, confirmed 547,736,1008

AMMUNITION

- Small arms, not considered explosives: *HB 22, CH 111 (1982)

ANATOMICAL GIFTS

- Human remains, donee definition expanded, entities with full-time physician or surgeon as employee: *HB 720, CH 9 (1982)

ANDERSON, JAMES E.

- Member, board of trustees, Skagit community college district 4, GA 582, confirmed 1004,1120,1200

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) ... Passed during 1981 Second Special Session.
 E1 (1982) ... Passed during 1982 First Special Session.
 E2 (1982) ... Passed during 1982 Second Special Session.

ANDERSON, RICHARD E.

Pardon granted by Governor Spellman 123

ANESTHESIOLOGY

Dentists, nondental anesthesia use allowed, conditions specified, medical disciplinary board jurisdiction: *Sub HB 1047, CH 51 (1982)

ANGIER, KEITH A.

Member, corrections standards board, GA 487, confirmed 8,530,888

ANIMALS (See also LIVESTOCK; WILDLIFE; GUARD ANIMALS)

Cruelty, penalties: *HB 621, CH 114 (1982)
Roosevelt elk, official state animal designation: HB 4

ANNEXATION

Cities, boundary review board procedures, SEPA exemption, annexation petition consideration, charter elections: *SB 3446, CH 220 (1982)
Cities, towns, consolidations, population certification authority, transferred from planning, community affairs agency: SB 3647
Fire protection districts, contiguous property subject to leasehold excise tax, annexation authorized, conditions specified: Sub SB 3512
Sewer, water districts, "island" within, procedures prescribed, referendum provision: *SB 4064, CH 146 (1982)
Special purpose districts, revisions: *HB 1145, CH 17 E1 (1982)

ANNUITIES (See also INSURANCE AND INSURANCE COMMISSIONER; WORKERS' COMPENSATION - INDUSTRIAL INSURANCE AND SAFETY)

Life insurance, standard valuation law, outstanding policies annuities, pure endowment contracts, valuation prescribed, nonforfeiture regulated, filing fees: SB 4201, *Sub SB 4201, CH 9 E1 (1982)

APARTMENTS

Three-story, certain, UBC inclusion, buildings, four stories or more, state building code exemption: SB 4653

APPEALS (See also COURT OF APPEALS; TAX APPEALS, BOARD OF)

Discrimination, ordinances against, first class cities, authority, appeal, de novo judicial review: HB 100
Income tax, individuals, imposed, 1% adjusted gross income, implementation prescribed, payment failure penalty, appeal procedures: SB 4387
Industrial insurance appeals board, decisions, procedures prescribed: SB 4947
Industrial insurance appeals board, de novo jury trials deleted, superior court, oral arguments, written brief requirement: SB 4767
Industrial insurance appeals board, transcripts, evidentiary rules, members' experience, knowledge, decision reversal provisions: SB 4767
Local government master program adjustments, review provisions, APA exemption: Sub HB 1098
Odors, agricultural, certain, clean air act exemption, conditions specified, violations, appeal process, exemption exclusion, land sales, residential purposes: Sub SB 4044

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

APPEALS—cont.

Police courts, city, appellate procedures revised: SB 4489

Water rights determination, costs, state obligation: *Sub HB 449, CH 15 (1982)

APPEARANCE OF FAIRNESS DOCTRINE

Municipal legislative bodies, applicability limited: SB 4741, *Sub HB 1011, CH 229 (1982)

APPLE BLOSSOM ROYALTY

Wenatchee, introduced by Senator Sellar 1191

APPLES

Apple maggot detection program, appropriation specified, reversion provision, sec 64: Sub SB 4264

Insect detection and control program, appropriation: *Sub SB 4684, CH 153 (1982)

Processing, assessment, apple commission, levying authorized: SB 4689

APPLICATIONS

Public employment, applicants, names, applications, resumes, etc, public inspection exemption: SB 4734

Public employment, applicants, personal information, public inspection exemption: Sub SB 4734

APPRAISERS AND APPRAISALS

Nursing home accounting, harbor area leasing purposes, appraisers accreditation requirements specified: *HB 728, CH 117 (1982)

Smith's cove waterway, offer to sell, Port of Seattle, fair market value, appraisal costs reimbursement: *SB 4025, CH 1 E1 (1982)

APPRENTICES

Craftsmen, traditional skills development, older building restoration, L&I responsibilities, register requirement, specialist, other employees, employment: Sub SB 3030

Fees, L&I programs, establishment authorized: *HB 796, CH 39 E1 (1982)

Funeral directors, embalmers, license applicants, grade point requirements, apprentices exemption, reciprocity provisions: *Sub HB 871, CH 66 (1982)

APPROPRIATIONS (See also BUDGET – OPERATIONS 1981 – 83 BIENNIUM; TRANSPORTATION BUDGET)

Administrative hearings office, operations, expenses: SB 4832, *HB 907, CH 189 (1982)

Agriculture department, insect detection and control program: *Sub SB 4684, CH 153 (1982)

Centennial commission, established, membership, responsibilities, annual report: *HB 183, CH 90 (1982)

Centennial commission, established, membership, responsibilities, termination date: Sub SB 3031

Central Washington University, retirement contributions: SB 4424

Columbia river gorge review commission, created, powers, duties, members: SB 4914

Commerce and economic development department, centennial commission: HB 183

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

APPROPRIATIONS—cont.

- Commerce and economic development department, export assistance centers: Sub HB 1141
- Commerce and economic development department, small business innovators' opportunity program: SB 4582, *HB 1013, CH 44 (1982)
- Convention and trade center, nonprofit corporation management, bond issuance, lodging excise tax: *Sub HB 1015, CH 34 (1982)
- Corrections department, probation, parole services: *HB 768, CH 207 (1982)
- Corrections department, 500-bed medium security facility design, site provisions, McNeil Island facility heating, ventilation system repairs: *Sub HB 808, CH 23 E1 (1982)
- Criminal justice training commission, uniform crime reports program, future appropriations requirement: *Sub HB 1130, CH 125 (1982)
- Drug trafficking enforcement unit, created: 2nd Sub HB 603
- Eastern Washington University, retirement contributions: SB 4424
- Ecology department, Lake Osoyoos international water control structure: SB 4846
- Educational policies, structures, management committee, temporary, created: *SB 3609, CH 33 E1 (1982)
- Employment security department, employment services program: SB 4594
- Employment security department, job service program: SB 4946
- Employment security department, unemployment insurance, employment service programs: *SB 4919, CH 59 (1982)
- Employment security department, youth services corps, established: SB 4595
- Financial management office, rehabilitation review office, performance audit: SB 3902, *HB 454, CH 63 (1982)
- Financial management office, retirement systems: SB 4424
- Fire protection board, established: SB 3296, Sub SB 3296
- Fisheries department, public lands clam management account, created, shellfish harvesting fees, purposes prescribed: Sub SB 3442
- Fisheries department, razor clam programs: *HB 894, CH 178 (1982)
- General administration department, public lands basement, insurance building, upper floors, house office building remodel design, Capitol Lake, phase III: *Sub HB 1230, CH 48 E1 (1982)
- Governor's office, child abuse and neglect council: *3rd Sub HB 179 CH 4 (1982)
- Governor's office, school employees, salary increase: Sub HB 1226
- Housing finance commission, established: 2nd Sub SB 3084
- Industrial insurance appeals board, expedited appeals: *HB 454, CH 63 (1982)
- Interagency committee for outdoor recreation, project prioritization plan, eligible marine recreation improvements, priority directed: SB 4903
- Interagency committee for outdoor recreation, recreation guide: SB 3915
- Labor and industries department, apprenticeship programs: *HB 796, CH 39 E1 (1982)
- Labor and industries department, crime victims assistance: HB 151
- Labor and industries department, crime victims compensation: *2nd Sub HB 828, CH 8 E1 (1982)
- Labor and industries department, crime victims, employment standards, apprenticeship programs, conditions specified, sec 8: SB 4709

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

APPROPRIATIONS—cont.

- Labor and industries department, industrial relations: *HB 795, CH 38 E1 (1982)
- Labor and industries department, office of rehabilitation review created: SB 3902, *HB 454, CH 63 (1982)
- Legislative budget committee, beer, wine sales authority removal, state, liquor stores, fiscal impact study directed: Sub HB 1039
- Licensing department, auctioneer's licensing act: *Sub HB 436, CH 205 (1982)
- Licensing department, automation equipment, vehicle title, license applications use, purchase authorized: *SB 4549, CH 57 (1982)
- Licensing department, automotive repairs: *HB 375, CH 62 (1982)
- Licensing department, camping club regulation: *HB 1017, CH 69 (1982)
- Licensing department, secured transactions, financing statements, amendments, fees, certificates, officer's duties, modified: *HB 822, CH 186 (1982)
- Licensing department, time-sharing regulated: Sub SB 3775, 2nd Sub SB 3775
- Licensing department, trade names registration: SB 4528
- Licensing department, voluntary motorcycle operator training and education program: SB 4692, *Sub SB 4692, CH 77 (1982)
- Lobbyists' revolving fund, booklet publication: Sub SB 4142
- Marine employees' commission, created, appropriation transferred from personnel department: SB 4609, Sub SB 4609
- Natural resources department, capital projects: *Sub HB 1230, CH 48 E1 (1982)
- Natural resources department, geoduck management plan, intensive, implementation with fisheries department cooperation: *HB 1162, CH 180 (1982)
- Natural resources department, Milwaukee railroad, right-of-way, acquisition, unexpended funds, use, dredge spoil sites, Cowlitz, Coweeman, Toutle rivers, purchase authority, sec 110: *Sub HB 811, CH 14 E2 (1981)
- Natural resources department, Milwaukee railroad right-of-way, structures, disposal, administrative costs reimbursement, appropriation deposit, originating fund: Sub HB 804
- Natural resources department, natural heritage program, expenditures recovery requirement: *SB 4681, CH 154 (1982)
- Natural resources department, public land surveys, official plat recording, county auditors: HB 641
- Natural resources department, transition trust lands revolving fund act, committee, fund created: Sub SB 4664
- Oceanographic commission: SB 4390
- Operating engineer certificate fund, construction equipment operator safety licensing act, enacted: SB 4857
- Parks and recreation commission, boat moorage fee program, selected state parks, establishment: HB 865, SB 4485, *Sub SB 4369, CH 50 E1 (1982)
- Parks and recreation commission, campsite reservation, information system: SB 3612
- Parks and recreation commission, winter recreational activities: *SB 3737, CH 11 (1982)
- Parks and recreation commission, youth development, conservation corps: SB 4313
- Personnel department, productivity board created: *Sub HB 837, CH 167 (1982)
- Pharmacy board, diversion unit: 2nd Sub HB 603

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

APPROPRIATIONS—cont.

- Planning and community affairs agency, border counties, mental health services: SB 4856
- Planning and community affairs agency, center for voluntary action act: SB 4621, Sub SB 4621, *Sub HB 923, CH 11 E1 (1982)
- Planning and community affairs agency, manufactured home advisory task force: Sub SB 3308
- Postsecondary education council, displaced homemaker program: *HB 286, CH 15 E1 (1982)
- Postsecondary education council, scholars program: SB 3635
- Postsecondary education council, student financial aid supplementation: *2nd Sub HB 784, CH 37 E1 (1982)
- Public disclosure commission, toll-free telephone hotline program: Sub SB 3249
- Public investment task force, established: SCR 147
- Revenue department, automotive repairs: *HB 375, CH 62 (1982)
- Revenue department, individual income tax imposed, implementation prescribed: SB 4387
- Social and health services department, child abuse and neglect council: 3rd Sub HB 179
- Social and health services department, community services administration program, funds moved, as specified, community social services grants program: Sub HB 1105
- Social and health services department, dental care, developmentally disabled persons: SB 4913
- Social and health services department, posttraumatic stress disorder training, community mental health professionals: HB 470
- Social and health services department, psychiatric facility, acute care: SB 4752
- Social and health services department, water supply facilities: *Sub HB 1230, CH 48 E1 (1982)
- Social and health services department, water supply facilities, referendum 38: Sub SB 4270
- State government, reduced: *Sub HB 811, CH 14 E2 (1981)
- State government, remodeling, relocation, air conditioning, etc, expenditure prohibitions, LBC approval requirements, sec 1 (vetoed): Sub HB 811
- State lottery fund, created, state lottery establishment, gambling commission, lottery director powers: SB 4519
- State lottery fund, created, state lottery establishment, gambling commission, lottery supervisor powers: SB 4475
- State lottery fund, created, state lottery establishment, gambling commission, services, referendum provision: 2nd Sub HB 1103
- State treasurer, local government investment pool fund, created, administrative costs: SB 4743
- Superintendent of public instruction, interest costs: *Sub SB 4502, CH 136 (1982)
- Superintendent of public instruction, retirement contributions: SB 4424
- Superintendent of public instruction, school employees, salary increase: Sub HB 1226
- Superintendent of public instruction, school facilities, energy conservation program: Sub SB 3277

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

APPROPRIATIONS—cont.

- Teachers' retirement system fund, early retirement provisions: *2nd Sub HB 124, CH 54 E1 (1982)
- The Evergreen State College, retirement contributions: SB 4424
- Transportation department, aeronautics division, search and rescue program: *Sub SB 3946, CH 25 E1 (1982)
- Transportation department, dredge spoil sites acquisition, St Helens eruption: SB 4510, *Sub SB 4510, CH 7 (1982)
- Transportation department, modified: *SB 4549, CH 57 (1982), *Sub SB 4369, CH 50 E1 (1982)
- Unfair cigarette sales below cost act: *HB 1092, CH 16 E1 (1982)
- University of Washington, retirement contributions: SB 4424
- Washington state patrol, retirement contributions: SB 4424
- Washington State University, retirement contributions: SB 4424
- Washington State University, waste water treatment plant improvements, WSU/Pullman: HB 1078, *Sub HB 1230, CH 48 E1 (1982)
- Western Washington University, retirement contributions: SB 4424

AQUATIC LANDS AND AQUACULTURE AREAS (See also LEASES; NATURAL RESOURCES, DEPARTMENT OF)

- Committee, joint legislative, members, duties, report, termination: *Sub SB 4824, CH 21 E1 (1982)
- Docks, upland owners, recreational use, state lands, additional rent or fees prohibited: *Sub SB 4824, CH 21 E1 (1982)
- Laws, separate chapters established: SB 4824, *Sub SB 4824, CH 21 E1 (1982)
- Public lands clam management account, established, shellfish harvesting fees, certain, purposes prescribed, DNR, fisheries department duties, appropriation: Sub SB 3442
- Rental adjustments, revaluation, reduction requirements: SB 3578, Sub SB 3578
- Rental fee, annual, permissible increase rate increased: SB 4423

ARBITRATION (See also LABOR AND LABOR RELATIONS)

- Jurisdiction, district, superior courts: SB 4695, *HB 897, CH 122 (1982)
- Mandatory, dollar amount increased, conditions specified: *Sub HB 887, CH 188 (1982)
- Prevailing wage law administration, user fees established, arbitration refusal, labor and industries department appropriation: *HB 795, CH 38 E1 (1982)
- Public employees, labor relations revisions, public employment labor relations service fund, created: SB 4954

ARCHAEOLOGY AND HISTORIC PRESERVATION

- Advisory council, sunset act inclusion: HB 960, SB 4565
- Centennial commission, established, membership, responsibilities, termination date: Sub SB 3031
- Centennial commission, established, membership, responsibilities, termination date, appropriation: Sub SB 3031
- Ferries, historic, disposition regulated: *SB 4956, CH 210 (1982)
- Fort Lawton/Discovery Park, decision-making, final disposition, historic preservation exemption: 2nd Sub SB 3027

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

ARCHAEOLOGY AND HISTORIC PRESERVATION—cont.

- Historic preservation planners, local government, responsibilities, program established: Sub SB 3026
- Legislative facilities, joint committee, created, buildings, certain, GA control exclusion, historical, architecturally significant buildings provision: SB 3328, Sub SB 3328
- Office, historic preservation planner program, support responsibilities: Sub SB 3026
- Office of community programs, transferred to: SB 4586, Sub SB 4586
- Pasco-Kennewick bridge, across Columbia river, preservation specifications: Sub SB 3027, 2nd Sub SB 3027
- Preservation officer, consulting services, dig permits, reasonable fees authorized, deposit requirements, appropriation: HB 960, SB 4565
- Property, assessment, classification application, disqualification, tax purposes: Sub SB 3025, 2nd Sub SB 3025
- Property, destruction restrictions: Sub SB 3027, 2nd Sub SB 3027
- Property, state agency use, general administration director responsibilities: SB 3028
- Restoration, older buildings, craftsmen, traditional skills, L&I apprenticeship division responsibilities, register requirement, specialist, other employees, employment: Sub SB 3030
- Review boards, state, local, responsibilities: Sub SB 3025, 2nd Sub SB 3025

ARCHITECTS AND ARCHITECTURE

- Engineering and architecture supervisor, general administration department, duties revised: SB 4555, *Sub SB 4200, CH 98 (1982)
- Landscape architects, registration board, powers, duties transferred, board of registration for architects: Sub HB 778
- Public works contracts, architectural, engineering consulting services, notices, procedures, personal service contracts: SB 4200

ARREST

- Escapes, warrants, issuance authorized, detention pending extradition authorized: HB 970, SB 4779

ARSON (See also FIRES AND FIRE PROTECTION)

- Arson fraud, alleged, suspected, state fire marshal investigation prescribed, local agencies contracts allowed: 2nd Sub SB 3366
- Arson fraud division, created, fire marshal investigative duties, arson fraud division operating account, created: Sub SB 3366
- Arson fraud operating account, created: 2nd Sub SB 3366
- City fire chiefs, fires investigation, police powers granted: Sub SB 3366, 2nd Sub SB 3366
- County fire marshal, authorized representative, fires, unincorporated areas, or cities as defined, investigation, police powers granted: Sub SB 3366, 2nd Sub SB 3366
- Fire insurance policies, high risk areas, anti-arson applications, cancellation requirements: *SB 3297, CH 110 (1982)
- Fire protection board established, members, responsibilities, fire marshal duties transferred, fire service training duties transferred, board: 2nd Sub SB 3296

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

ARSON—cont.

Fire protection board established, members, responsibilities, fire marshal duties transferred, fire service training duties transferred, board appropriation: SB 3296, Sub SB 3296

Fires, failure to report, as specified, crime defined, penalty prescribed: SB 3292

Fires, refusal to report, crime defined, penalty prescribed: SB 3292

Fraud and arson bureau, insurance commissioner's office, created: SB 3366

Habitual criminal status, redefined: HB 569

ART AND ARTS COMMISSION (See also PERFORMING ARTS AND PERFORMING ARTS CENTERS)

Artworks, school district premises, waiver rights, rejection provision, school board authority: *Sub HB 849, CH 191 (1982)

ARTHRITIS

DMSO, legend drug, sales, use authorized: SB 3185, Sub SB 3185

ASIAN-AMERICAN AFFAIRS, COMMISSION ON

Membership, quorum requirements revised, per diem pay removed: *HB 942, CH 68 (1982)

ASSAULT

Habitual criminal status, redefined: HB 569

Victims, under 16, seventy-two hour reporting requirement not applicable, benefit limitation exemption, medical examination payment, L&I appropriation: HB 151

ASSESSMENTS

Apple processing, apple commission, levying authorized: SB 4689

Bail, persons charged, misdemeanors, gross misdemeanors, assessment, certain, included in bail deposit required, refund upon acquittal: SB 3301

Benefit, local government, not prohibited: Sub HB 1014

Cattle, increased, exemption provision: *HB 947, CH 47 (1982)

Cattle, increased, notice publication, state register, newspapers: HB 947, SB 4439, Sub SB 4439

Construction, new, assessment rolls listing: *Sub SB 3783, CH 46 E1 (1982)

Crime victims compensation, criminal penalties specified: SB 4951

Crime victims compensation, criminal penalty assessments imposed, L&I appropriation: *2nd Sub HB 828, CH 8 E1 (1982)

Current use valuation, lands with water dependent uses, authorized: SJR 144

Current use valuation, lands with water dependent uses, designated wetland, shoreland areas, constitutional contingency: SB 4762

Forest fire protection, minimums, maximums established, administrative costs, suppression account provisions: *HB 1099, CH 55 E1 (1982)

Historic property, review boards, state, local, responsibilities: Sub SB 3025, 2nd Sub SB 3025

Historic property, tax purposes: Sub SB 3025, 2nd Sub SB 3025

Insurance commissioner office, support, insurers, assessment, conditions specified: SB 4578

Irrigation districts, delinquent, interest accrual provision, certain, removed: SB 4852

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

ASSESSMENTS—cont.

- Irrigation districts, delinquent, interest computation, payment, delinquency list transmittal provisions: *Sub SB 4852, CH 102 (1982)
- LID'S, collection provisions modified: SB 3594
- LID's, formation, financing, procedures modified, petitions, bonds, interest rates, foreclosure, annual levy: HB 519
- LID's, installment payments, principal, interest provisions: *SB 4488, CH 96 (1982)
- LID's, special benefit assessments, residence located within utility LID primarily for industrial purposes, exemption, user fee provision: SB 4462
- Parole, probation services, costs, release, monthly payments required, conditions prescribed, corrections department appropriation: *HB 768, CH 207 (1982)
- Parole, probation services, costs, release, reasonable payments required, conditions prescribed: HB 768
- Real property, current use required, potential use not to be considered: SB 4816
- Real property, revaluation, physical inspection schedule, conditions prescribed, revenue department rules adoption: SB 3783, *Sub SB 3783, CH 46 E1 (1982)

ASSOCIATIONS (See also CONDOMINIUMS; COOPERATIVES)

- Cooperative, members, voting provisions implemented: Sub SB 3380
- Cooperative, reorganization procedures: Sub SB 3380

ATHLETES

- Athletic scholarships, higher education, tuition, fee waivers: Sub SB 3237

ATTORNEY GENERAL

- Agent orange, other chemical defoliants, veterans, physicians, hospitals, DSHS, UW medical facilities, attorney general provisions: SB 4687
- Contractors registration, enforcement powers prescribed: Sub SB 4631
- Hunting, interference with, prohibited, penalties prescribed, permitted civil actions: SB 4727
- Initiatives, referendums, petition requirements updated: *Sub HB 663, CH 116 (1982)
- Legal services revolving fund, reserve status requirements revised, sec 19, 20: Sub SB 4264, *Sub SB 4369, CH 50 E1 (1982)
- Medical examiner system, state, established, conditions specified: SB 4991
- Plain language consumer contracts act, enacted, conditions specified: SB 4853
- Pornography, moral nuisances, defined, enforcement authority: *Sub HB 626, CH 184 (1982)
- Unfair business practices, presuit depositions, interrogatories, authorized, procedures prescribed: SB 3913, *Sub SB 3913, CH 137 (1982)

ATTORNEYS (See also FEES – ATTORNEYS)

- Court congestion task force, established, members, duties, reimbursement, report submission: *HB 864, CH 187 (1982)
- Law practice, legislature definition authorized: SJR 147
- Professional service corporations, shareholders, corporate authority clarified: SB 3145
- Rape crisis centers, records, defense attorney availability, conditions prescribed: Sub SB 3958

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

ATTORNEYS—cont.

- Sexual assault victims, counselors, communications, crime prosecution, not admissible, conditions prescribed: SB 3958
- Unfair business practices, presuit depositions, interrogatories, attorney general, authorized, procedures prescribed: SB 3913, *Sub SB 3913, CH 137 (1982)

AUDIOLOGISTS

- Defined: Sub HB 1150
- Hearing aid council, members, public representation required: Sub HB 1150
- Hearing aids, licensees regulations revised, continuing education, surety bond, trainee, sales restrictions requirements specified: Sub HB 1150
- Speech-language pathologists and audiologists act, enacted, licensing regulations, termination date: SB 3603, Sub SB 3603
- Speech-language pathology and audiology board, established, members, licensing department responsibilities: SB 3603, Sub SB 3603

AUDITS AND AUDITORS (See also ACCOUNTANTS AND ACCOUNTING; FUNDS – PUBLIC; PERFORMANCE AUDITS; STATE AUDITOR)

- Agencies, public, as specified, private accounting firms, use permitted, competitive bid requirement: Sub HB 857
- Agriculture marketing agreements, commissions, annual audit requirement modified: *Sub SB 4566, CH 81 (1982)
- Facilities, state, energy audits, conditions specified, GA departmental duties: *2nd Sub HB 658, CH 48 (1982)
- Federal reserve, independent, requirement, U.S. supreme court, action, state, intent declared: *SCR 127 (1982)
- Geographic names board, members, terms specified, sunset act, termination date extended, LBC performance audit requirements: HB 527
- Local government, audit requirements, legislative joint review, report: SCR 110, Sub SCR 110
- McNeil Island correctional facility, energy audit required: *Sub HB 808, CH 23 E1 (1982)
- Motor freight carriers, for hire, multiple taxation, gross receipts allocation principles stated, joint audits permitted: *HB 752, CH 169 (1982)
- Municipal corporations, allowable expenses, municipal corporations division duties, state auditor rules adoption: SB 4781, *Sub HB 855, CH 206 (1982)
- Municipal corporations, audit expenses, municipal revolving fund expenditure requirements, municipal corporations division duties: SB 4573
- Property tax, exemptions, as specified, required, revenue department: SB 4770
- Public disclosure commission, reports, provisions extended: Sub SB 4422
- Revenue department, out-of-state contracts permitted: SB 4392, SB 4605, *Sub SB 4605, CH 128 (1982)
- School facilities, existing, energy conservation program, SPI, energy office, ESD's cooperation, conditions specified, funds use, rules, appropriation: Sub SB 3277
- School facilities, existing, inventory, energy efficiency, safety audit provisions: SB 3277
- State lottery, annual post-audit, state auditor, required: 2nd Sub HB 1103, SB 4519

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

AUTOPSIES

Medical examiner system, state, established, conditions specified: SB 4991
Sudden death, as specified, county coroner, mandatory, required: Sub HB 1069

AWARDS

Exotic races, parimutuel receipts, retention percentage increased, distribution, breeders award provisions: SB 4708, *Sub SB 4708, CH 32 (1982)

BAIL

Juveniles, bail forfeiture program, authorized, conditions specified: SB 4444
Persons charged, misdemeanors, gross misdemeanors, assessment, certain, included in bail deposit required, refund upon acquittal: SB 3301

BAILEY, FORMER SENATOR ROBERT C.

Remarks, retirement of Senator Wilson 1771

BAKERIES

Bread, weight and size standards repealed, weight marking sales requirements: Sub HB 900

BALLOTS (See also SECRETARY OF STATE)

Absentee, hospital patients, certain, application provision: Sub HB 43
Absentee, use restrictions specified: SB 4845
Format, uniform required: *Sub HB 888, CH 121 (1982), SB 4471
Judges, courts of limited jurisdiction, candidate with largest primary vote on general election ballot: SB 4659
Measures, campaign materials, public officials mailing at public expense, restrictions, penalties prescribed: SB 4789, Sub SB 4789
Measures, campaign materials, public officials mailing at public expense, restrictions, penalties prescribed, official voter information guides exemption (vetoed): HB 829
Special purpose districts, merged, commissioners, office-holding, election, ballot provisions modified: *SB 4905, CH 104 (1982)
Voter registration, technical changes: SB 3257, Sub SB 3257

BANKS AND BANKING (See also FINANCIAL INSTITUTIONS)

Alcohol beverage business, financial interest allowed: SB 4729, *Sub HB 1063, CH 85 (1982)
Alien, powers, regulation: *Sub SB 4115, CH 95 (1982)
B&O tax, gross receipts, deduction, international banking facility, conditions prescribed: SB 4115
Branch banks, deposits, international banking facilities, certain, exemption: SB 4115
Credit cards, use, payment, taxes, fines, fees, state, local agencies authorized: SB 4364
Depositors, accounts classification, permitted, money market deposit competition purpose: SB 3925
Examinations, banking supervisor, fee schedule establishment conditions: HB 935, SB 4828
Funds, public, state treasurer, investment authority extended: *SB 4507, CH 148 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

BANKS AND BANKING—cont.

International banking facilities, gross receipts, B&O tax exemption: *Sub SB 4115, CH 95 (1982)

Investments, production credit associations, federal intermediate credit banks, federal land banks, stock, participation certificates, authorized: *HB 1074, CH 86 (1982)

Investments, production credit associations, federal land banks, stock, participation certificates, authorized: HB 1074

Reorganization into bank holding companies: *Sub HB 936, CH 196 (1982)

BARBERS (See also COSMETOLOGY)

Permittees, employment, supervised hours requirements revised, reciprocal license provision, manager-operator license holders, barber license examination requirement: SB 4614

Schools, instructor licensing, persons over 18, allowed: Sub HB 148

Unemployment compensation provisions, independent contractors, exclusion: *Sub SB 4216, CH 18 E1 (1982)

BARTER

Fresh salmon bartering, personal use, permitted, rules adoption: SB 4442

BAUER, SENATOR AL

Presided during presentation members Air Force, McChord Field, Colonel

Richard Farr 1756

Statement for journal, in house during roll call on SB 5033, budget/accounting act, would have voted "no" 2763

Statement for journal, rule 34, protest, regarding vote on confirmation of Eustace "Sonny" Vynne, failure to be recognized 898,905-906,910-912

BEAUCHAMP, HENRY

Member, corrections standards board, GA 556, confirmed 388,531,882

BECKETT, BETTY

Member, board of trustees, Grays Harbor community college

district 2, GA 560, confirmed 389,610,884

BEER AND BREWERIES

Containers, pull-tab, sales prohibited, violations, ecology department enforcement, rules adoption: *Sub HB 448, CH 113 (1982)

Draft beer dispensing equipment, advertising, manufacturer, wholesaler, importer, installation authorized, G, J licensees service acceptance authorized: SB 4763, *Sub HB 1063, CH 85 (1982)

Hospitals, nursing homes, wine, beer by the glass, patients, family members, visitors, offering allowed: *Sub HB 1063, CH 85 (1982)

Instruction, licensees, permitted, conditions specified: SB 4526, *SB 4748, CH 26 E1 (1982)

Malt liquor brewers, license fee prescribed: *Sub HB 1063, CH 85 (1982)

Malt liquor redefined: *Sub HB 571, CH 39 (1982)

Redefined, strong beer defined: *Sub HB 571, CH 39 (1982)

Sales, state liquor stores, authority removal, LBC fiscal impact study directed, appropriation: Sub HB 1039

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

BEER AND BREWERIES—cont.

- Sales, state liquor stores, authority removed, effective, as specified, LBC fiscal impact study directed, appropriation: Sub HB 1039
- Sales, surtax imposed: *SB 4250, CH 35 E1 (1982), Sub SB 4368
- Strong, malt beer, more than 8% alcohol by volume, definition: Sub HB 571

BELLEVUE COMMUNITY COLLEGE DISTRICT NO. 8, BOARD OF TRUSTEES

- McKinley, Marg, member: GA 536, confirmed 20,447,877

BENITZ, SENATOR MAX E.

- Statement for journal, regarding amendment to SHB 849 1339-1340

BEVERAGES (See also LIQUOR AND LIQUOR CONTROL BOARD)

- Businesses, jukebox selections, payment, wagering permitted, as specified: HB 1123
- Containers, pull-tab, sales prohibited, violations, ecology department enforcement, rules adoption: *Sub HB 448, CH 113 (1982)
- Minimum age qualifications, all purposes except alcoholic beverage consumption, reduced to eighteen: Sub HB 148

BICYCLES

- Facilities, new construction, modifications, state standards requirement: *Sub SB 4460, CH 55 (1982)
- Hand signals, requirements prescribed: SB 4339, Sub SB 4339
- Paths, designated areas, designation, use, ordinances not allowed, funds expenditure prohibited: SB 4460
- Redefined, limited access roadways use, state, local authorities, prohibited actions, daylight hours use restriction: SB 4339, Sub SB 4339
- Redefined, limited access roadways use, state, local authorities, prohibitions, hand signals, traffic lanes use requirements revised: *Sub SB 4460, CH 55 (1982)
- Redefined, roadway operation specified: SB 4460
- Riding in traffic lanes, rules revised: SB 4339, Sub SB 4339

BIDCO - BUSINESS AND INDUSTRIAL DEVELOPMENT CORPORATIONS ACT

- Enacted, banking supervisor administration: Sub HB 977

BIDS AND BIDDING

- Audits, public agencies, as specified, private accounting firms, use permitted, competitive bid requirement: Sub HB 857
- Contracts, competitive bid requirements violations, penalties modified: SB 4758
- Counties, competitive requirements, telephone, written quotation provisions, inspection requirements, exemptions specified: Sub HB 957
- Counties, equipment purchases, minimum requirements increased: *SB 4690, CH 145 (1982)
- Electrical distribution and generating systems, construction projects, first class cities, certain, open bid requirements revised: SB 4714
- Fire protection districts, minimum requirement increased, fire station, other building improvements, certain bid requirement deleted: SB 4523, Sub SB 4523, Sub HB 890

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

BIDS AND BIDDING—cont.

- Joint operating agencies, materials, equipment, supplies, work procurement, requirements revised: Sub HB 1053, *SB 4995, CH 44 E1 (1982)
- Port districts, construction projects over \$30,000, contracting out determination, if cheaper, authorized: Sub HB 956
- Public works contracts, repeals, replaces current statutes, bids, notices, pollution control, natural resources compliance, intentional violations: SB 4200
- Public works contracts, under \$25,000, bid exemption conditions specified: SB 4555, *Sub SB 4200, CH 98 (1982)
- Public works contracts, unit breakdown, bid avoidance purposes, prohibited: *Sub SB 4200, CH 98 (1982)

BIG BEND COMMUNITY COLLEGE DISTRICT NO. 18, BOARD OF TRUSTEES

- Alvarez, Eloise, member: GA 576, confirmed 547,736,1008
- Laxton, H Dean, member: GA 567, confirmed 391,610,885
- Nihoul, Timothy R, member: GA 542, confirmed 22,477,879

BILLS OF LADING

- Common carriers, hazardous materials, red in color or red border, requirement removed: *HB 457, CH 83 (1982)

BIOMASS ENERGY SYSTEM

- Heating systems, municipal corporations, establishment authorized, conditions specified: Sub SB 3033, 2nd Sub SB 3033

BIRTH

- Abortion, infant born alive during abortion procedure, immediate medical attention required: SB 3370
- Abortion, unemancipated minor, parents, guardian, notification if possible: Sub HB 226
- Abortion, woman, informed consent requirement: Sub HB 226
- Adoption, child relinquishment, adoptive parent, agency, prohibited without termination of parent-child relationship: Sub HB 451
- Adoption, consent, approval, person under 72 hours old, prohibited: Sub HB 451
- Adoption, consent, written, revocation, permitted anytime prior to court approval: Sub HB 451
- Adoption, contested termination cases, transfer to court ordered termination law, required: Sub HB 451
- Parent-child relationship termination, procedures: Sub HB 451

BISHOP, JAMES P.

- Member, board of trustees, Skagit community college district 4, confirmed 686,1120,1199

BLIND COMMISSION, STATE

- Abolished, powers, duties transferred, social and health services department: SB 4553
- Appropriation repealed, sec 57 (vetoed): Sub SB 4369
- Naddy, Marlee L, member: GA 404, confirmed (1981), 447,861
- Peter, Philip A, member: GA 403, confirmed (1981), 817,1004

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

BLIND PERSONS

- Licenses, free, fishing, single document, applicable endorsements, consolidation required: Sub SB 3751
- School, superintendent, persons over 18, authorized: Sub HB 148
- Services, DSHS appropriation, sec 49 (vetoed): Sub SB 4369
- Students, higher education, residents, blind, needy, disadvantaged, tuition, fee waiver: Sub SB 3347

BLOOD BANKS

- Regulations imposed, civil penalty, DSHS implementing rules adoption directed: SB 4583, Sub SB 4583

BLUE LIGHTS

- Law enforcement vehicles, lights, sirens, use designation, equipment commission authority: *Sub SB 4826, CH 101 (1982)
- Motor vehicles, fisheries, game departments, parks and recreation commission, use authorized: HB 825
- Motor vehicles, fisheries, game departments, use authorized: HB 825, Sub SB 3258

BLUECHEL, SENATOR ALAN

- Remarks, retirement of Senator Wilson 1768

BOARDS – LOCAL

- Boundary review, incorporation proceedings review, annexation petition consideration: *SB 3446, CH 220 (1982)
- Community colleges, appointment, removal provisions implemented: SB 4756
- Community colleges, trustees, removal, governor, provisions: HB 361
- Drug abuse, counties, provisions stated: SB 4643, *HB 410, CH 193 (1982)
- Hospitals, trustees, majority, residency outside city required: HB 1173
- Hospitals, trustees, minimum age requirement, commissioner district provision deleted, additional members, clergy, former public employees allowed: HB 1173
- Library, cities, towns, contracts for services, boards of trustees not required: SB 4606
- Review, historic property, tax assessment: Sub SB 3025, 2nd Sub SB 3025

BOARDS – STATE (See also ADMINISTRATIVE PROCEDURE

ACT; see various departments and agencies)

- Accountancy, termination, sunset act, date established: SB 4626, *Sub HB 875, CH 223 (1982)
- Automotive policy, abolished, duties transferred, general administration department: SB 4633, *Sub HB 762, CH 163 (1982)
- Collection agency, abolished, functions transferred, licensing department: Sub HB 778
- Commodity, persons over 18, service allowed: Sub HB 148
- Community economic revitalization, created, powers, duties, revolving fund, termination: SB 4622, *2nd Sub HB 906, CH 40 E1 (1982)
- Drug enforcement policy review, created, members, duties, drug trafficking unit, appropriation: 2nd Sub HB 603
- Factory-built structures advisory, created: SB 4902

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

BOARDS – STATE—cont.

- Fire protection, established, members, responsibilities, state fire marshal transferred, fire service training duties transferred: 2nd Sub SB 3296
- Fire protection, established, members, responsibilities, state fire marshal transferred, fire service training duties transferred, appropriation: SB 3296, Sub SB 3296
- Geographic names, members, terms specified, sunset act, termination date extended, LBC performance audit requirements: HB 527
- Geographic names, members, terms specified, sunset provision repealed: HB 527, SB 3648, SB 4988
- Geographic names, members, terms specified, sunset termination date extended: Sub SB 3648
- Institute of child development research and service advisory, abolished: *Sub HB 762, CH 163 (1982)
- Judicial retirement, abolished, duties transferred, department of retirement systems, advisory committee provision: SB 4633, *Sub HB 762, CH 163 (1982)
- Landscape architects registration, powers, duties transferred, board of registration for architects: Sub HB 778
- LEOFF retirement, abolished, duties transferred, department of retirement systems, advisory committee provision: SB 4633, *Sub HB 762, CH 163 (1982)
- Local investment, created, investment pool fund created, state treasurer appropriation: SB 4743
- Manufactured home, commercial coach, recreational vehicle, created: SB 4902
- Members, terms eligibility, redistricting effect: *Sub HB 1165, CH 30 E1 (1982)
- Militia advisory, abolished: *Sub HB 762, CH 163 (1982)
- Natural resources, state land sales, designated agency: Sub SB 4164
- Operating engineers advisory, established, construction equipment operator safety licensing act, enacted, appropriation: SB 4857
- Pharmacy, termination, sunset act, date established: SB 4626, *Sub HB 875, CH 223 (1982)
- Physical therapy, name change from physical therapists examining committee, membership increased, professional qualifications, continuing education, license suspension: SB 3332, Sub SB 3332
- Podiatry, established, licensure provisions: SB 4365, *Sub HB 174, CH 21 (1982)
- Practical nurse examiners, redesignated, board of practical nursing, general provisions: Sub HB 274
- Productivity, created, employee suggestion program, incentive pay administration, conditions specified: Sub HB 837
- Productivity, created, employee suggestion program, incentive pay administration, conditions specified, personnel department appropriation: *Sub HB 837, CH 167 (1982)
- Public employees' retirement, abolished, duties transferred, department of retirement systems, advisory committee provision: SB 4633, *Sub HB 762, CH 163 (1982)
- Speech–language pathologists and audiologists act, enacted, license regulations, termination date: SB 3603, Sub SB 3603
- Speech–language pathology and audiology, established, members, licensing department responsibilities: SB 3603, Sub SB 3603

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

BOARDS – STATE—cont.

State patrol retirement advisory, abolished, duties transferred, department of retirement systems, advisory committee provisions: SB 4633, *Sub HB 762, CH 163 (1982)

Teachers' retirement trustees, abolished, duties transferred, department of retirement systems, advisory committee provision: SB 4633, *Sub HB 762, CH 163 (1982)

BOILERS AND PRESSURE VESSELS

General revisions: SB 4629

BONDS (See also SURETY BONDS)

Capital facilities, priorities established, state debt conditions: *Sub HB 1230, CH 48 E1 (1982)

Community redevelopment financing act: SB 4603, Sub SB 4603, *2nd Sub SB 4603, CH 42 E1 (1982)

Conservation and small scale renewable energy development revolving fund established, general obligation bonds, bond anticipation notes authorized, constitutional contingency: SB 3287, Sub SB 3287

Convention and trade center, nonprofit corporation management, bond issuance, lodging excise tax, appropriation: *Sub HB 1015, CH 34 (1982)

Corrections department, facilities, issuance authorized: *Sub HB 808, CH 23 E1 (1982)

Counties, facilities under construction, bonds, revenue, interest payment permitted: SB 3592

Court congestion account, created, congestion reduction act, enacted, bond proceeds, administrator for the courts, bonds issuance authorized: Sub SB 3110

Court facilities, construction, improvement, general obligation bonds issuance authorized, court construction account created, court congestion reduction act, enacted: Sub SB 3110

Federal-aid apportionments, highway construction, fiscal 1985, transportation commission, consultation, legislative transportation committee, directed: *Sub SB 4469, CH 19 (1982)

Federal-aid apportionments, payments in advance, as specified: SB 4469

Fire service training center, commission for vocational education, bonding authority increased: *Sub HB 1230, CH 48 E1 (1982)

Hotel, motel, special tax receipts, municipal park facilities, other capital improvements, use authorized: SB 3318

Interstate highways, improvements, payments, in advance of federal-aid apportionments: SB 4469, *Sub SB 4469, CH 19 (1982)

Irrigation districts, works construction projects, federal, state contracts, proportional property repayment liability: HB 198

Joint operating agencies, elections, major public energy projects authorization, costs, payment required: *HB 1174, CH 88 (1982)

LID's, formation, financing, procedures modified, petitions, bonds, interest rates, foreclosure, annual levy: HB 519

Local improvement, call for bid notice, publication requirement revised: Sub SB 4271

Measures, information, voters' pamphlet, disclosure required: Sub HB 11

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

BONDS—cont.

- Measures, information, voters' pamphlet, disclosure required, contents prescribed, printed border requirement: Sub HB 11
- Measures, information, voters' pamphlet, preparation procedures revised, as specified: SB 4833
- Metropolitan municipal corporations, short-term obligations, issuance authorized, self-determined conditions: SB 4878
- Psychiatric facility, acute care, bonds authorized, DSHS appropriation: SB 4752
- Public improvements, indebtedness, payment means provided: SJR 143, *Sub SJR 143 E1 (1982)
- Public improvements, indebtedness, payment means provided, hearings requirements, eminent domain, potential use, public information: Sub SJR 143
- Public transportation, motor vehicle excise tax pledge prohibition removed: SB 4878
- Pupil transportation, vehicles, purchase, borrowing, negotiable coupon bonds' issuance, authorized: Sub HB 770
- Scenically fragile lands, public lands commissioner acquisition directed, conditions prescribed, survey, criteria, bonds authorized, referendum provision: SB 3719, Sub SB 3719, 2nd Sub SB 3719
- School community recreation districts, establishment conditions, taxing powers, bond issuance authority, voter approval requirement: SB 4912
- School districts, pupil transportation vehicles, issuance authorized, conditions specified, school boards, county treasurers duties: Sub HB 869
- School plant facilities aid, bond issue provisions, certain, repealed: Sub HB 770
- SEPA, actions, bond required, plaintiffs, court requirement: SB 4386
- Sewer lines, new, referendum 39 bond moneys, use authorized: SB 4877
- Sewer lines, new, referendum 39 bond moneys, use authorized, high unemployment areas, industrial districts development priorities: SB 4877
- Sewer, water districts, boundaries, powers revisions, mergers, preexisting mergers authorized, bonding authority, double taxation prevention: Sub SB 3534
- Social and health services department, issuance authorized: *Sub HB 808, CH 23 E1 (1982)
- Solid waste disposal districts, establishment authorized, tax levy, bond issuance: *Sub HB 221, CH 175 (1982)
- Taxing districts, tax increment obligations, authorized, conditions prescribed, constitutional contingency: SB 4119, Sub SB 4119
- Waste disposal facilities, referendum 39, state, local improvements revolving accounts appropriations increased: *Sub HB 1230, CH 48 E1 (1982)

BONNEVILLE POWER ADMINISTRATION

- Electrical transmission lines, certain, EFSEC authority: SB 4508
- Initiative 394, lawsuit against, BPA nonintervention, costs nonpayment directed, petitioned: SJM 119, Sub SJM 119
- Joint operating agencies, bond authorization elections, costs, payment required: *HB 1174, CH 88 (1982)

BOOKS

- Surplus property, school districts, disposition requirements prescribed, private school rights provision: SB 3753, Sub SB 3753
- X-rated materials, sales tax, 20% of retail sales price, imposed: SB 4598

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

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BRACHTENBACH, MARILYN

Deputy secretary of the senate

BREMERTON

Frances Haddon Morgan children's center, residential school establishment: *SB 4199, CH 89 (1982)

BRENNICK, DARYL

Member, state jail commission, GA 546, confirmed 386,429,880

BRIBES

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 Railroad trespassers, injury, death, railroad, employee liability immunity: HB 114

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) ... Passed during 1981 Second Special Session.
 E1 (1982) ... Passed during 1982 First Special Session.
 E2 (1982) ... Passed during 1982 Second Special Session.

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- Lake Osoyoos international water control structure, acquisition, operation authorized, ecology department appropriation: SB 4846
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- Tuition, fees, higher education institutions, reciprocity program, restoration allowed, CPC negotiation duties: SB 4694

BROCKETT, DONALD C.

Member, sentencing guidelines commission, GA 515, confirmed 15,403,871

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- Salmon harvesters commission, creation, referendum provision, members, powers, duties, inspection, enforcement authority, civil service, budget, accounting exemptions: Sub SB 3204
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- Corrections department, facilities, sec 17: *Sub HB 1230, CH 48 E1 (1982)
- Corrections department, work release, sec 18: *Sub HB 1230, CH 48 E1 (1982)
- Ecology department, sec 3, sec 7: *Sub HB 1230, CH 48 E1 (1982)
- Fisheries department, sec 16: *Sub HB 1230, CH 48 E1 (1982)
- General administration department, sec 11: *Sub HB 1230, CH 48 E1 (1982)
- Natural resources department, sec 10: *Sub HB 1230, CH 48 E1 (1982)
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- Social and health services department, water supply facilities (referendum 38), sec 12: *Sub HB 1230, CH 48 E1 (1982)
- Vocational education commission, sec 1, 2: *Sub HB 1230, CH 48 E1 (1982)
- Washington state university, sec 8: *Sub HB 1230, CH 48 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

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 Accountancy board, sec 31: *Sub SB 4369, CH 50 E1 (1982)
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 Administrator for the courts, sec 12: *Sub HB 811, CH 14 E2 (1981)
 Administrator for the courts, judicial information system, sec 102: Sub SB 4264
 Administrator for the courts, judicial information system, sec 104: SB 4384
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 Agriculture department, sec 9: SB 4709
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- * Measures passed by Senate and House. Also Senate Resolutions adopted.
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 E2 (1981) . . . Passed during 1981 Second Special Session.
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- Blind commission, sec 56: Sub HB 811
- Blind commission, sec 57 (vetoed): Sub SB 4369
- Blind commission, sec 58: Sub SB 4374
- Blind commission, sec 61: *Sub HB 811, CH 14 E2 (1981)
- Boxing commission, sec 29: Sub HB 811, SB 4384
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- Central Washington University, sec 85: Sub HB 811, Sub SB 4369, Sub SB 4374
- Central Washington University, sec 87: *Sub HB 811, CH 14 E2 (1981)
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- Chief administrative law judge, sec 92: SB 4384
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- Chief administrative law judge, sec 99: Sub SB 4374
- Chief administrative law judge, sec 100: Sub SB 4369
- Chief administrative law judge, sec 101: *Sub HB 811, CH 14 E2 (1981)
- Chief administrative law judge, sec 104: *Sub SB 4369, CH 50 E1 (1982)
- Columbia river gorge commission, sec 56: Sub SB 4264, Sub SB 4369
- Columbia river gorge commission, sec 57: Sub SB 4369, SB 4384
- Columbia river gorge commission, sec 59: Sub HB 811
- Columbia river gorge commission, sec 61: Sub SB 4374
- Columbia River gorge commission, sec 64: *Sub HB 811, CH 14 E2 (1981)
- Commerce and economic development department, sec 61: Sub SB 4264, Sub SB 4369
- Commerce and economic development department, sec 62: Sub SB 4369, SB 4384
- Commerce and economic development department, sec 64: Sub HB 811
- Commerce and economic development department, sec 65: *Sub SB 4369, CH 50 E1 (1982)
- Commerce and economic development department, sec 66: Sub SB 4374
- Commerce and economic development department, sec 69: *Sub HB 811, CH 14 E2 (1981)
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* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

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- Compact for education, sec 12: SB 4709
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- Corrections department, sec 35: Sub HB 811, SB 4384
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- Corrections department, sec 42: *Sub HB 811, CH 14 E2 (1981)
- Corrections department, sec 96: SB 4384
- Corrections department, sec 102: Sub SB 4374
- Corrections department, allotment modification authority, sec 38: *Sub SB 4369, CH 50 E1 (1982)
- Corrections department, tobacco products, inmates, not provided unless earned, sec 42 (vetoed): Sub HB 811
- Corrections standards board, sec 94: SB 4384
- Corrections standards board, sec 98: Sub SB 4264
- Corrections standards board, sec 100: Sub SB 4369
- Corrections standards board, sec 101: Sub SB 4374
- Corrections standards board, sec 102: Sub SB 4369
- Corrections standards board, sec 103: *Sub HB 811, CH 14 E2 (1981)
- Corrections standards board, sec 106: *Sub SB 4369, CH 50 E1 (1982)
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- Data processing authority, sec 3: SB 4709
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- Data processing authority, sec 21: Sub SB 4369
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- Deferred compensation committee, sec 20: SB 4384
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- Deputy director positions, as specified, funds expenditure prohibition, sec 2 (vetoed): Sub HB 811
- Eastern Washington state historical society, sec 89: SB 4384
- Eastern Washington state historical society, sec 93: Sub SB 4369
- Eastern Washington state historical society, sec 94: Sub SB 4264
- Eastern Washington state historical society, sec 95: Sub HB 811, Sub SB 4374
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- * Measures passed by Senate and House. Also Senate Resolutions adopted.
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- E2 (1981) ... Passed during 1981 Second Special Session.
- E1 (1982) ... Passed during 1982 First Special Session.
- E2 (1982) ... Passed during 1982 Second Special Session.

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- Eastern Washington University, sec 78: SB 4384
- Eastern Washington University, sec 81: Sub SB 4369
- Eastern Washington University, sec 82: Sub SB 4264
- Eastern Washington University, sec 84: Sub HB 811, Sub SB 4369, Sub SB 4374
- Eastern Washington University, sec 86: *Sub HB 811, CH 14 E2 (1981)
- Eastern Washington University, sec 87: *Sub SB 4369, CH 50 E1 (1982)
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- Ecology department, sec 57: Sub SB 4264, Sub SB 4369
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- Emergency services department, sec 38: *Sub HB 811, CH 14 E2 (1981)
- Employment security department, sec 52: Sub SB 4264, Sub SB 4369
- Employment security department, sec 53: Sub SB 4369, SB 4384
- Employment security department, sec 55: Sub HB 811
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- Employment security department, sec 57: Sub SB 4374
- Employment security department, sec 60: *Sub HB 811, CH 14 E2 (1981)
- Employment security department, sec 103: Sub SB 4374
- Employment security department, veterans service section, sec 97: SB 4384
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- Energy fair '83, sec 99: Sub SB 4369
- Energy fair '83, sec 100: Sub SB 4374
- Energy fair '83, sec 101: Sub SB 4369
- Energy fair '83, sec 102: *Sub HB 811, CH 14 E2 (1981)
- Energy fair '83, sec 105: *Sub SB 4369, CH 50 E1 (1982)
- Energy office, sec 55: Sub SB 4264, Sub SB 4369
- Energy office, sec 56: Sub SB 4369, SB 4384
- Energy office, sec 58: Sub HB 811
- Energy office, sec 59: *Sub SB 4369, CH 50 E1 (1982)
- Energy office, sec 60: Sub SB 4374
- Energy office, sec 63: *Sub HB 811, CH 14 E2 (1981)
- Environmental hearings office, sec 58: Sub SB 4264, Sub SB 4369
- Environmental hearings office, sec 59: Sub SB 4369, SB 4384
- Environmental hearings office, sec 61: Sub HB 811
- Environmental hearings office, sec 62: *Sub SB 4369, CH 50 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

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SR Senate Floor Resolutions.

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E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

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* Measures passed by Senate and House. Also Senate Resolutions adopted.

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E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

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- Human rights commission, sec 49: Sub SB 4369, SB 4384
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- Indian affairs, governor's office, sec 14: Sub SB 4369
- Indian affairs, governor's office, sec 16: Sub HB 811, Sub SB 4264
- Indian affairs, governor's office, sec 16 (vetoed): Sub SB 4369
- Indian affairs, governor's office, sec 18: *Sub HB 811, CH 14 E2 (1981)
- Industrial insurance appeals board, sec 51: Sub HB 811
- Insurance commissioner, sec 24: SB 4384
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- Insurance commissioner, sec 27: Sub HB 811
- Insurance commissioner, sec 28: Sub SB 4264, Sub SB 4374, *Sub SB 4369, CH 50 E1 (1982)
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- Jail commission, sec 54: Sub SB 4264; Sub SB 4369
- Jail commission, sec 55: Sub SB 4369, SB 4384
- Jail commission, sec 57: Sub HB 811
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- Jail commission, sec 59: Sub SB 4374
- Jail commission, sec 62: *Sub HB 811, CH 14 E2 (1981)
- Judicial council, sec 9: SB 4384, *Sub SB 4369, CH 50 E1 (1982)
- Judicial council, sec 10: *Sub SB 4369, CH 50 E1 (1982), SB 4384
- Judicial council, sec 11: Sub HB 811, Sub SB 4264, Sub SB 4369, Sub SB 4374
- Judicial council, sec 13: *Sub HB 811, CH 14 E2 (1981)
- Judicial information system, LBC study, sec 102: Sub SB 4264
- Judicial information system, LBC study, sec 104: SB 4384
- Judicial information system, LBC study, sec 107: Sub SB 4369
- Judicial information system, LBC study, sec 109: Sub SB 4369, Sub SB 4374
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- Judicial information system, LBC study, sec 113: *Sub SB 4369, CH 50 E1 (1982)
- Judicial qualifications commission, sec 99: SB 4384
- Judicial qualifications commission, sec 101: Sub SB 4264
- Judicial qualifications commission, sec 103: Sub SB 4369
- Judicial qualifications commission, sec 104: Sub SB 4374
- Judicial qualifications commission, sec 105: Sub SB 4369
- Judicial qualifications commission, sec 106: *Sub HB 811, CH 14 E2 (1981)
- Judicial qualifications commission, sec 109: *Sub SB 4369, CH 50 E1 (1982)
- Labor and industries department, sec 8: SB 4709
- Labor and industries department, sec 49: Sub SB 4264, Sub SB 4369
- Labor and industries department, sec 50: Sub SB 4369, SB 4384
- Labor and industries department, sec 52: Sub HB 811
- Labor and industries department, sec 53: *Sub SB 4369, CH 50 E1 (1982)
- Labor and industries department, sec 56: Sub SB 4374
- Labor and industries department, sec 57: *Sub HB 811, CH 14 E2 (1981)
- Law library, sec 6: Sub SB 4369

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

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- Law library, sec 7: SB 4384, *Sub SB 4369, CH 50 E1 (1982)
- Law library, sec 8: Sub HB 811, Sub SB 4264, Sub SB 4369, Sub SB 4374
- Law library, sec 10: *Sub HB 811, CH 14 E2 (1981)
- Legislative budget committee, sec 1: Sub SB 4369
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- Legislative budget committee, sec 3: Sub HB 811, Sub SB 4264, Sub SB 4369, Sub SB 4374, SB 4384
- Legislative budget committee, sec 5: *Sub HB 811, CH 14 E2 (1981)
- Legislative budget committee, remodeling, renovation, state agency facilities, review, sec 1 (vetoed): Sub HB 811
- Legislative evaluation and accountability program committee, sec 3: *Sub SB 4369, CH 50 E1 (1982)
- Legislative evaluation and accountability program committee, sec 4: Sub HB 811, Sub SB 4264, Sub SB 4369, Sub SB 4374, SB 4384
- Legislative evaluation and accountability program committee, sec 6: *Sub HB 811, CH 14 E2 (1981)
- Licensing department, sec 10: SB 4709
- Licensing department, sec 65: Sub SB 4369
- Licensing department, sec 66: Sub SB 4369, SB 4384
- Licensing department, sec 68: Sub HB 811
- Licensing department, sec 69: *Sub SB 4369, CH 50 E1 (1982)
- Licensing department, sec 70: Sub SB 4374
- Licensing department, sec 73: *Sub HB 811, CH 14 E2 (1981)
- Lieutenant governor, sec 12: Sub SB 4369
- Lieutenant governor, sec 13: *Sub SB 4369, CH 50 E1 (1982)
- Lieutenant governor, sec 14: Sub HB 811, Sub SB 4264, Sub SB 4369, Sub SB 4374
- Lieutenant governor, sec 16: *Sub HB 811, CH 14 E2 (1981)
- Liquor control board, sec 31: Sub SB 4369
- Liquor control board, sec 33: Sub SB 4264, *Sub SB 4369, CH 50 E1 (1982)
- Mexican-American affairs commission, sec 14: Sub SB 4369, SB 4384
- Mexican-American affairs commission, sec 16: Sub HB 811, Sub SB 4264, Sub SB 4374
- Mexican-American affairs commission, sec 16 (vetoed): Sub SB 4369
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- Military department, sec 39: *Sub HB 811, CH 14 E2 (1981)
- Minority and women's affairs office, sec 15 (vetoed): Sub SB 4369
- Municipal research council, sec 27: SB 4384
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- Municipal research council, sec 34: *Sub HB 811, CH 14 E2 (1981)
- Natural resources department, sec 63: Sub SB 4264, Sub SB 4369
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* Measures passed by Senate and House. Also Senate Resolutions adopted.

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SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

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 Office of financial management, sec 20: Sub HB 811
 Office of financial management, sec 21: Sub SB 4264, Sub SB 4374, *Sub SB 4369, CH 50 E1 (1982)
 Office of financial management, sec 24: *Sub HB 811, CH 14 E2 (1981)
 Parks and recreation commission, sec 59: Sub SB 4264, Sub SB 4369
 Parks and recreation commission, sec 60: Sub SB 4369, SB 4384
 Parks and recreation commission, sec 62: Sub HB 811
 Parks and recreation commission, sec 63: *Sub SB 4369, CH 50 E1 (1982)
 Parks and recreation commission, sec 64: Sub SB 4374
 Parks and recreation commission, sec 67: *Sub HB 811, CH 14 E2 (1981)
 Personnel appeals board, sec 2: SB 4709
 Personnel appeals board, sec 20: Sub SB 4369
 Personnel appeals board, sec 22: Sub SB 4264, *Sub SB 4369, CH 50 E1 (1982)
 Personnel department, sec 18: SB 4384
 Personnel department, sec 21: Sub HB 811
 Personnel department, sec 22: Sub SB 4374
 Personnel department, sec 25: *Sub HB 811, CH 14 E2 (1981)
 Pharmacy board, sec 30: Sub HB 811, SB 4384
 Pharmacy board, sec 32: Sub SB 4369
 Pharmacy board, sec 34: Sub SB 4264, Sub SB 4374, *Sub SB 4369, CH 50 E1 (1982)
 Pharmacy board, sec 37: *Sub HB 811, CH 14 E2 (1981)
 Planning and community affairs agency, sec 7: SB 4709
 Planning and community affairs agency, sec 47: Sub SB 4264, Sub SB 4369
 Planning and community affairs agency, sec 48: Sub SB 4369, SB 4384
 Planning and community affairs agency, sec 49: Sub HB 811
 Planning and community affairs agency, sec 51: *Sub SB 4369, CH 50 E1 (1982)
 Planning and community affairs agency, sec 55: *Sub HB 811, CH 14 E2 (1981)
 Postsecondary education council, sec 82: SB 4384
 Postsecondary education council, sec 86: Sub SB 4369
 Postsecondary education council, sec 87: Sub SB 4264
 Postsecondary education council, sec 88: Sub HB 811, Sub SB 4374
 Postsecondary education council, sec 89: Sub SB 4369
 Postsecondary education council, sec 90: *Sub HB 811, CH 14 E2 (1981)
 Postsecondary education council, sec 92: *Sub SB 4369, CH 50 E1 (1982)
 Prison terms and paroles board, sec 13: SB 4709
 Prison terms and paroles board, sec 50: Sub SB 4264, Sub SB 4369
 Prison terms and paroles board, sec 51: Sub SB 4369, SB 4384
 Prison terms and paroles board, sec 53: Sub HB 811
 Prison terms and paroles board, sec 54: *Sub SB 4369, CH 50 E1 (1982)
 Prison terms and paroles board, sec 55: Sub SB 4374
 Prison terms and paroles board, sec 58: *Sub HB 811, CH 14 E2 (1981)
 Productivity measures, sec 103: *Sub SB 4369, CH 50 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

BUDGET - OPERATIONS - 1981 - 83 BIENNIUM—cont.

- Public broadcasting commission, sec 83: SB 4384
 Public broadcasting commission, sec 87: Sub SB 4369
 Public broadcasting commission, sec 88: Sub SB 4264
 Public broadcasting commission, sec 89: Sub HB 811, Sub SB 4374
 Public broadcasting commission, sec 90: Sub SB 4369
 Public broadcasting commission, sec 91: *Sub HB 811, CH 14 E2 (1981)
 Public broadcasting commission, sec 94: *Sub SB 4369, CH 50 E1 (1982)
 Public disclosure commission, sec 26: SB 4384
 Public disclosure commission, sec 28: Sub SB 4369
 Public disclosure commission, sec 30: Sub SB 4264, Sub SB 4374, *Sub SB 4369, CH 50 E1 (1982)
 Public disclosure commission, sec 33: *Sub HB 811, CH 14 E2 (1981)
 Public employment relations commission, sec 33: Sub HB 811, SB 4384
 Public employment relations commission, sec 35: Sub SB 4369
 Public employment relations commission, sec 37: Sub SB 4264, Sub SB 4374, *Sub SB 4369, CH 50 E1 (1982)
 Public employment relations commission, sec 40: *Sub HB 811, CH 14 E2 (1981)
 Retirement systems department, sec 6: SB 4709
 Revenue department, sec 21: SB 4384
 Revenue department, sec 23: Sub SB 4369
 Revenue department, sec 24: Sub HB 811
 Revenue department, sec 25: Sub SB 4264, Sub SB 4374, *Sub SB 4369, CH 50 E1 (1982)
 Revenue department, sec 28: *Sub HB 811, CH 14 E2 (1981)
 Secretary of state, sec 13: Sub SB 4369, SB 4384
 Secretary of state, sec 14: *Sub SB 4369, CH 50 E1 (1982)
 Secretary of state, sec 15: Sub HB 811, Sub SB 4264, Sub SB 4369, Sub SB 4374
 Secretary of state, sec 17: *Sub HB 811, CH 14 E2 (1981)
 Senate, sec 2: Sub SB 4264, Sub SB 4369, Sub SB 4374, SB 4384
 Senate, sec 4: *Sub HB 811, CH 14 E2 (1981)
 Sentencing guidelines commission, sec 95: SB 4384
 Sentencing guidelines commission, sec 99: Sub SB 4264
 Sentencing guidelines commission, sec 101: Sub SB 4369
 Sentencing guidelines commission, sec 102: Sub SB 4374
 Sentencing guidelines commission, sec 103: Sub SB 4369
 Sentencing guidelines commission, sec 104: *Sub HB 811, CH 14 E2 (1981)
 Sentencing guidelines commission, sec 107: *Sub SB 4369, CH 50 E1 (1982)
 Social and health services department, administration and supporting services program, sec 45: Sub HB 811, SB 4384
 Social and health services department, administration and supporting services program, sec 47: *Sub SB 4369, CH 50 E1 (1982)
 Social and health services department, administration and supporting services program, sec 49: Sub SB 4374
 Social and health services department, administration and supporting services program, sec 52: *Sub HB 811, CH 14 E2 (1981)
 Social and health services department, capital improvements, sec 98: SB 4384

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

BUDGET - OPERATIONS - 1981 - 83 BIENNIUM—cont.

- Social and health services department, community services administration program, sec 46: Sub HB 811, Sub SB 4369, SB 4384
- Social and health services department, community services administration program, sec 48: *Sub SB 4369, CH 50 E1 (1982)
- Social and health services department, community services administration program, sec 50: Sub SB 4374
- Social and health services department, community services administration program, sec 53: *Sub HB 811, CH 14 E2 (1981)
- Social and health services department, community social services grants program, sec 41: Sub HB 811, SB 4384
- Social and health services department, community social services grants program, sec 43: Sub SB 4264, Sub SB 4369
- Social and health services department, community social services grants program, sec 44: *Sub SB 4369, CH 50 E1 (1982)
- Social and health services department, community social services grants program, sec 45: Sub SB 4374
- Social and health services department, community social services grants program, sec 48: *Sub HB 811, CH 14 E2 (1981)
- Social and health services department, conditions, limitations, sec 34: Sub HB 811, SB 4384
- Social and health services department, conditions, limitations, sec 38: Sub SB 4374
- Social and health services department, conditions, limitations, sec 41: *Sub HB 811, CH 14 E2 (1981)
- Social and health services department, developmental disabilities, sec 38: Sub HB 811
- Social and health services department, developmental disabilities, sec 40: Sub SB 4264, Sub SB 4369
- Social and health services department, developmental disabilities, sec 41: *Sub SB 4369, CH 50 E1 (1982)
- Social and health services department, developmental disabilities, sec 42: Sub SB 4374
- Social and health services department, developmental disabilities, sec 45: *Sub HB 811, CH 14 E2 (1981)
- Social and health services department, income maintenance grants program, sec 40: Sub HB 811, SB 4384
- Social and health services department, income maintenance grants program, sec 42: Sub SB 4264, Sub SB 4369
- Social and health services department, income maintenance grants program, sec 43: *Sub SB 4369, CH 50 E1 (1982)
- Social and health services department, income maintenance grants program, sec 47: *Sub HB 811, CH 14 E2 (1981)
- Social and health services department, juvenile rehabilitation program, sec 36: Sub HB 811, SB 4384
- Social and health services department, juvenile rehabilitation program, sec 38: Sub SB 4369
- Social and health services department, juvenile rehabilitation program, sec 40: Sub SB 4374

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Governorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

BUDGET - OPERATIONS - 1981 - 83 BIENNIUM—cont.

- Social and health services department, juvenile rehabilitation program, sec 43:
*Sub HB 811, CH 14 E2 (1981)
- Social and health services department, medical assistance grants program, sec 42:
Sub HB 811, SB 4384
- Social and health services department, medical assistance grants program, sec 44:
Sub SB 4264, Sub SB 4369
- Social and health services department, medical assistance grants program, sec 45:
*Sub SB 4369, CH 50 E1 (1982)
- Social and health services department, medical assistance grants program, sec 46:
Sub SB 4374
- Social and health services department, medical assistance grants program, sec 49:
*Sub HB 811, CH 14 E2 (1981)
- Social and health services department, mental health program, sec 37: Sub HB
811, SB 4384
- Social and health services department, mental health program, sec 39: Sub SB
4264, Sub SB 4369
- Social and health services department, mental health program, sec 40: *Sub SB
4369, CH 50 E1 (1982)
- Social and health services department, mental health program, sec 41: Sub SB
4374
- Social and health services department, mental health program, sec 44: *Sub HB
811, CH 14 E2 (1981)
- Social and health services department, nursing homes program, sec 39: Sub HB
811, SB 4384
- Social and health services department, nursing homes program, sec 41: Sub SB
4264, Sub SB 4369
- Social and health services department, nursing homes program, sec 42: *Sub SB
4369, CH 50 E1 (1982)
- Social and health services department, nursing homes program, sec 43: Sub SB
4374
- Social and health services department, nursing homes program, sec 44: Sub SB
4374
- Social and health services department, nursing homes program, sec 46: *Sub HB
811, CH 14 E2 (1981)
- Social and health services department, public health program, sec 43: Sub HB
811, SB 4384
- Social and health services department, public health program, sec 47: Sub SB
4374
- Social and health services department, public health program, sec 50: *Sub HB
811, CH 14 E2 (1981)
- Social and health services department, reappropriations, sec 47: Sub HB 811
- Social and health services department, services for the blind, sec 49 (vetoed): Sub
SB 4369
- Social and health services department, vocational rehabilitation program, sec 44:
Sub HB 811, SB 4384
- Social and health services department, vocational rehabilitation program, sec 45:
Sub SB 4264, Sub SB 4369

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

BUDGET - OPERATIONS - 1981 - 83 BIENNIUM—cont.

- Social and health services department, vocational rehabilitation program, sec 46:
 *Sub SB 4369, CH 50 E1 (1982)
- Social and health services department, vocational rehabilitation program, sec 48:
 Sub SB 4374
- Social and health services department, vocational rehabilitation program, sec 51:
 *Sub HB 811, CH 14 E2 (1981)
- State actuary, sec 3: Sub SB 4369
- State actuary, sec 4: *Sub SB 4369, CH 50 E1 (1982)
- State actuary, sec 5: Sub HB 811, Sub SB 4264, Sub SB 4369, Sub SB 4374
- State actuary, sec 7: *Sub HB 811, CH 14 E2 (1981)
- State auditor, sec 15: SB 4384
- State auditor, sec 16: Sub SB 4369
- State auditor, sec 18: Sub HB 811, Sub SB 4264, Sub SB 4374, *Sub SB 4369,
 CH 50 E1 (1982)
- State auditor, sec 20: *Sub HB 811, CH 14 E2 (1981)
- State capitol historical association, sec 90: SB 4384
- State capitol historical association, sec 94: Sub SB 4369
- State capitol historical association, sec 95: Sub SB 4264
- State capitol historical association, sec 96: Sub HB 811, Sub SB 4374
- State capitol historical association, sec 97: Sub SB 4369
- State capitol historical association, sec 98: *Sub HB 811, CH 14 E2 (1981)
- State capitol historical association, sec 100: *Sub SB 4369, CH 50 E1 (1982)
- State historical society, sec 88: SB 4384
- State historical society, sec 92: Sub SB 4369
- State historical society, sec 93: Sub SB 4264
- State historical society, sec 94: Sub HB 811, Sub SB 4374
- State historical society, sec 95: Sub SB 4369
- State historical society, sec 96: *Sub HB 811, CH 14 E2 (1981)
- State historical society, sec 98: *Sub SB 4369, CH 50 E1 (1982)
- State investment board, sec 22: Sub SB 4374
- State library, sec 86: SB 4384
- State library, sec 90: Sub SB 4369
- State library, sec 91: Sub SB 4264
- State library, sec 92: Sub HB 811, Sub SB 4374
- State library, sec 93: Sub SB 4369
- State library, sec 94: *Sub HB 811, CH 14 E2 (1981)
- State library, sec 96: *Sub SB 4369, CH 50 E1 (1982)
- State patrol, sec 100: SB 4384
- State patrol, sec 104: Sub SB 4369
- State patrol, sec 105: Sub SB 4374
- State patrol, sec 106: Sub SB 4369
- State patrol, sec 107: *Sub HB 811, CH 14 E2 (1981)
- State patrol, sec 110: *Sub SB 4369, CH 50 E1 (1982)
- State treasurer, bond retirement and interest, sec 25: SB 4384
- State treasurer, bond retirement and interest, sec 29: Sub SB 4374
- State treasurer, bond retirement and interest, sec 32: *Sub HB 811, CH 14 E2
 (1981)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

BUDGET – OPERATIONS – 1981 – 83 BIENNIUM—cont.

- State treasurer, motor vehicle fund appropriation, state treasurer's service fund, sec 15: Sub SB 4369
- State treasurer, motor vehicle fund appropriation, state treasurer's service fund, sec 17: Sub HB 811, Sub SB 4264, Sub SB 4374, *Sub SB 4369, CH 50 E1 (1982)
- State treasurer, motor vehicle fund appropriation, state treasurer's service fund, sec 19: *Sub HB 811, CH 14 E2 (1981)
- State treasurer, state revenues for distribution, sec 5: SB 4709
- State treasurer, state revenues for distribution, sec 27: Sub SB 4369
- State treasurer, state revenues for distribution, sec 29: Sub SB 4264, *Sub SB 4369, CH 50 E1 (1982)
- State treasurer, transfers, sec 95: Sub SB 4369
- State treasurer, transfers, sec 97: Sub SB 4374
- State treasurer, transfers, sec 99: *Sub HB 811, CH 14 E2 (1981)
- State treasurer, transfers, sec 101: *Sub SB 4369, CH 50 E1 (1982)
- Statute law committee, sec 4: Sub SB 4369
- Statute law committee, sec 5: *Sub SB 4369, CH 50 E1 (1982)
- Statute law committee, sec 6: Sub HB 811, Sub SB 4264, Sub SB 4369, Sub SB 4374
- Statute law committee, sec 8: *Sub HB 811, CH 14 E2 (1981)
- Sundry claims, sec 91: SB 4384
- Sundry claims, sec 96: Sub SB 4369
- Sundry claims, sec 98: Sub SB 4369, Sub SB 4374
- Sundry claims, sec 100: *Sub HB 811, CH 14 E2 (1981)
- Sundry claims, sec 102: *Sub SB 4369, CH 50 E1 (1982)
- Superintendent of public instruction, basic education allocation, calculation of certificated staff compensation, sec 71: Sub SB 4369
- Superintendent of public instruction, basic education formula for FY 1982–83, sec 67: Sub SB 4264
- Superintendent of public instruction, basic education formula for FY 1982–83, sec 68: Sub SB 4369, SB 4384
- Superintendent of public instruction, basic education formula for FY 1982–83, sec 69: Sub SB 4369
- Superintendent of public instruction, basic education formula for FY 1982–83, sec 70: Sub HB 811
- Superintendent of public instruction, basic education formula for FY 1982–83, sec 72: *Sub SB 4369, Sub SB 4374, CH 50 E1 (1982)
- Superintendent of public instruction, basic education formula for FY 1982–83, sec 75: *Sub HB 811, CH 14 E2 (1981)
- Superintendent of public instruction, block grants, sec 72: SB 4384
- Superintendent of public instruction, block grants, sec 75: Sub SB 4264, Sub SB 4369
- Superintendent of public instruction, block grants, sec 76: Sub SB 4369
- Superintendent of public instruction, block grants, sec 77: Sub HB 811
- Superintendent of public instruction, block grants, sec 79: Sub SB 4374
- Superintendent of public instruction, block grants, sec 80: *Sub SB 4369, CH 50 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

BUDGET - OPERATIONS - 1981 - 83 BIENNIUM—cont.

- Superintendent of public instruction, block grants, sec 82: *Sub HB 811, CH 14 E2 (1981)
- Superintendent of public instruction, educational clinics, sec 73: SB 4384
- Superintendent of public instruction, educational clinics, sec 77: Sub SB 4369
- Superintendent of public instruction, educational clinics, sec 78: Sub SB 4369
- Superintendent of public instruction, educational clinics, sec 79: Sub HB 811
- Superintendent of public instruction, educational clinics, sec 82: *Sub SB 4369, CH 50 E1 (1982)
- Superintendent of public instruction, educational service districts, sec 71: SB 4384
- Superintendent of public instruction, educational service districts, sec 74: Sub SB 4264, Sub SB 4369
- Superintendent of public instruction, educational service districts, sec 75: Sub SB 4369
- Superintendent of public instruction, educational service districts, sec 76: Sub HB 811
- Superintendent of public instruction, educational service districts, sec 77: Sub SB 4264
- Superintendent of public instruction, educational service districts, sec 78: Sub SB 4374
- Superintendent of public instruction, educational service districts, sec 79: *Sub SB 4369, CH 50 E1 (1982)
- Superintendent of public instruction, educational service districts, sec 81: *Sub HB 811, CH 14 E2 (1981)
- Superintendent of public instruction, handicapped costs, sec 74: Sub SB 4369
- Superintendent of public instruction, handicapped costs, sec 77: Sub SB 4374
- Superintendent of public instruction, handicapped costs, sec 78: *Sub SB 4369, CH 50 E1 (1982)
- Superintendent of public instruction, handicapped costs, sec 80: *Sub HB 811, CH 14 E2 (1981)
- Superintendent of public instruction, (including state education board), sec 66: Sub SB 4264
- Superintendent of public instruction, (including state education board), sec 67: Sub SB 4369, SB 4384
- Superintendent of public instruction, (including state education board), sec 68: Sub SB 4369
- Superintendent of public instruction, (including state education board), sec 69: Sub HB 811
- Superintendent of public instruction, (including state education board), sec. 71: Sub SB 4374, *Sub SB 4369, CH 50 E1 (1982)
- Superintendent of public instruction, (including state education board), sec 74: *Sub HB 811, CH 14 E2 (1981)
- Superintendent of public instruction, pupil transportation, sec 70: Sub SB 4264, SB 4384
- Superintendent of public instruction, pupil transportation, sec 71: Sub SB 4369
- Superintendent of public instruction, pupil transportation, sec 72: Sub HB 811
- Superintendent of public instruction, pupil transportation, sec 74: Sub SB 4374

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

BUDGET - OPERATIONS - 1981 - 83 BIENNIUM—cont.

- Superintendent of public instruction, pupil transportation, sec 75: *Sub SB 4369, CH 50 E1 (1982)
- Superintendent of public instruction, pupil transportation, sec 77: *Sub HB 811, CH 14 E2 (1981)
- Superintendent of public instruction, reductions, sec 83: *Sub SB 4369, CH 50 E1 (1982)
- Superintendent of public instruction, salary and compensation, definitions, K-12, sec 68: Sub SB 4264
- Superintendent of public instruction, salary and compensation, definitions, K-12, sec 69: Sub SB 4369
- Superintendent of public instruction, salary and compensation, definitions, K-12, sec 70: Sub SB 4369
- Superintendent of public instruction, salary and compensation, definitions, K-12, sec 73: *Sub SB 4369, CH 50 E1 (1982)
- Superintendent of public instruction, salary and compensation, increases, sec 69: Sub SB 4264, SB 4384
- Superintendent of public instruction, salary and compensation, increases, sec 70: Sub SB 4369
- Superintendent of public instruction, salary and compensation, increases, sec 71: Sub HB 811
- Superintendent of public instruction, salary and compensation, increases, sec 72: Sub SB 4369
- Superintendent of public instruction, salary and compensation increases, sec 73: Sub SB 4374
- Superintendent of public instruction, salary and compensation, increases, sec 74: *Sub SB 4369, CH 50 E1 (1982)
- Superintendent of public instruction, salary and compensation increases, sec 76: *Sub HB 811, CH 14 E2 (1981)
- Superintendent of public instruction, school food service programs, sec 72: Sub SB 4264
- Superintendent of public instruction, school food service programs, sec 73: Sub SB 4369
- Superintendent of public instruction, school food service programs, sec 74: Sub HB 811
- Superintendent of public instruction, school food service programs, sec 76: Sub SB 4374
- Superintendent of public instruction, school food service programs, sec 77: *Sub SB 4369, CH 50 E1 (1982)
- Superintendent of public instruction, school food service programs, sec 79: *Sub HB 811, CH 14 E2 (1981)
- Superintendent of public instruction, state institutional education programs, sec 76: Sub SB 4264, Sub SB 4369
- Superintendent of public instruction, state institutional education programs, sec 77: Sub SB 4369
- Superintendent of public instruction, state institutional education programs, sec 78: Sub HB 811
- Superintendent of public instruction, state institutional education programs, sec 80: Sub SB 4374

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

BUDGET – OPERATIONS – 1981 – 83 BIENNIUM—cont.

- Superintendent of public instruction, state institutional education programs, sec 81: *Sub SB 4369, CH 50 E1 (1982)
- Superintendent of public instruction, traffic safety program, sec 75: Sub HB 811
- Superintendent of public instruction, vocational–technical institutes, and adult education, sec 71: Sub SB 4264
- Superintendent of public instruction, vocational–technical institutes, and adult education, sec 72: Sub SB 4369
- Superintendent of public instruction, vocational–technical institutes, and adult education, sec 73: Sub HB 811, Sub SB 4369
- Superintendent of public instruction, vocational–technical institutes, and adult education, sec 75: Sub SB 4374
- Superintendent of public instruction, vocational–technical institutes and adult education, sec 76: *Sub SB 4369, CH 50 E1 (1982)
- Superintendent of public instruction, vocational–technical institutes, and adult education, sec 78: *Sub HB 811, CH 14 E2 (1981)
- Supreme court, sec 5: Sub SB 4369
- Supreme court, sec 6: *Sub SB 4369, SB 4384, CH 50 E1 (1982)
- Supreme court, sec 7: Sub HB 811, Sub SB 4264, Sub SB 4369, Sub SB 4374
- Supreme court, sec 9: *Sub HB 811, CH 14 E2 (1981)
- Tax appeals board, sec 22: SB 4384
- Tax appeals board, sec 24: Sub SB 4369
- Tax appeals board, sec 25: Sub HB 811
- Tax appeals board, sec 26: Sub SB 4264, Sub SB 4374, *Sub SB 4369, CH 50 E1 (1982)
- Tax appeals board, sec 29: *Sub HB 811, CH 14 E2 (1981)
- The Evergreen State College, sec 83: Sub SB 4369
- The Evergreen State College, sec 84: Sub SB 4264
- The Evergreen State College, sec 86: Sub HB 811, Sub SB 4369, Sub SB 4374
- The Evergreen State College, sec 88: *Sub HB 811, CH 14 E2 (1981)
- The Evergreen State College, sec 89: *Sub SB 4369, CH 50 E1 (1982)
- The Evergreen State College, supplemental tuition appropriation, sec 91: *Sub SB 4369, CH 50 E1 (1982)
- Uniform legislation commission, sec 4: SB 4709
- University of Washington, sec 76: SB 4384
- University of Washington, sec 79: Sub SB 4369
- University of Washington, sec 80: Sub SB 4264
- University of Washington, sec 82: Sub HB 811, Sub SB 4369, Sub SB 4374
- University of Washington, sec 84: *Sub HB 811, CH 14 E2 (1981)
- University of Washington, sec 85: *Sub SB 4369, CH 50 E1 (1982)
- University of Washington, supplemental tuition appropriation, sec 91: *Sub SB 4369, CH 50 E1 (1982)
- Utilities and transportation commission, sec 42: SB 4384
- Veterans affairs department, sec 46: Sub SB 4264, Sub SB 4369
- Veterans affairs department, sec 47: Sub SB 4369, SB 4384
- Veterans affairs department, sec 48: Sub HB 811
- Veterans affairs department, sec 50: *Sub SB 4369, CH 50 E1 (1982)
- Veterans affairs department, sec 51: Sub SB 4374
- Veterans affairs department, sec 54: *Sub HB 811, CH 14 E2 (1981)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

BUDGET – OPERATIONS – 1981 – 83 BIENNIUM—cont.

- Vocational education commission, sec 84: SB 4384
- Vocational education commission, sec 88: Sub SB 4369
- Vocational education commission, sec 89: Sub SB 4264
- Vocational education commission, sec 90: Sub HB 811, Sub SB 4374
- Vocational education commission, sec 91: Sub SB 4369
- Vocational education commission, sec 92: *Sub HB 811, CH 14 E2 (1981)
- Vocational education commission, sec 95: *Sub SB 4369, CH 50 E1 (1982)
- Washington State University, sec 77: SB 4384
- Washington State University, sec 80: Sub SB 4369
- Washington State University, sec 81: Sub SB 4264
- Washington State University, sec 83: Sub HB 811, Sub SB 4369, Sub SB 4374
- Washington State University, sec 84: Sub SB 4369
- Washington State University, sec 85: *Sub HB 811, CH 14 E2 (1981)
- Washington State University, sec 86: *Sub SB 4369, CH 50 E1 (1982)
- Washington State University, supplemental tuition appropriation, sec 91: *Sub SB 4369, CH 50 E1 (1982)
- Western Washington University, sec 81: SB 4384
- Western Washington University, sec 85: Sub SB 4264
- Western Washington University, sec 87: Sub HB 811, Sub SB 4369, Sub SB 4374
- Western Washington University, sec 89: *Sub HB 811, CH 14 E2 (1981), *Sub SB 4369, CH 50 E1 (1982)
- Western Washington University, supplemental tuition appropriation, sec 91: *Sub SB 4369, CH 50 E1 (1982)
- Winter recreation commission, sec 100: Sub SB 4264
- Winter recreation commission, sec 102: Sub SB 4369
- Winter recreation commission, sec 104: Sub SB 4369
- Winter recreation commission, sec 108: *Sub SB 4369, CH 50 E1 (1982)

BUDGETS (See also APPROPRIATIONS; see specific budgets)

- Allotments, state agencies, as specified, governor revision authority, ways and means committees requirement: Sub SB 4265
- Allotments, state agencies, certain, leave-without-pay program: Sub HB 1226
- Appropriations, modified: Sub SB 4264, *Sub SB 4369, CH 50 E1 (1982)
- Appropriations, reduced: *Sub HB 811, CH 14 E2 (1981)
- Balanced, each biennium, state duty: Sub HJR 13
- Budget stabilization account, establishment directed, appropriations, fiscal emergencies, retirement systems assets, revenues, biennium credit: Sub HJR 13
- Budget stabilization account, transfer requirements: *SB 4250, CH 35 E1 (1982)
- Budget stabilization account, transfers, deposits, appropriation requirements, expenditures, effective certain unemployment rate, uses specified: Sub HB 1109
- Budget stabilization account, transfers, deposits, legislative appropriation requirements, expenditures, uses specified: *Sub HB 1109, CH 36 E1 (1982)
- Capital, 1981–83 biennium, modified: *Sub HB 1230, CH 48 E1 (1982)
- Counties, road construction, day labor use, additional budget items: SB 4712
- Federal, balanced, petitioned, constitutional amendment, convention, provisions: HJM 1, SJM 105

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

BUDGETS—cont.

- Federal, balanced, petitioned, constitutional amendment, convention, provisions, referendum provision: SJM 105
- Operating, 1981–83 biennium, modified: Sub SB 4264, Sub SB 4374, SB 4384, *Sub SB 4369, CH 50 E1 (1982)
- Operating, 1981–83 biennium, reduced: *Sub HB 811, CH 14 E2 (1981)
- Supplemental, 1981–83 biennium: SB 4709
- Transportation department, modified: *SB 4549, CH 57 (1982), *Sub SB 4369, CH 50 E1 (1982)
- Urban lands, state-owned, program, sell, lease, or develop, commissioner, requested, budget shortfall purposes: SCR 111

BUILDINGS

- Energy audits, state facilities, conditions specified, GA departmental duties: *2nd Sub HB 658, CH 48 (1982)
- Energy efficient thermal, lighting standards, commercial, residential buildings, in effect: SB 3310, SB 4113
- Fire insurance policies, high risk areas, anti-arson applications, cancellation requirements: *SB 3297, CH 110 (1982)
- Four or more stories, state building code exclusion: SB 4653
- Legislative facilities, joint committee, created, facilities requirements: SB 3328
- Renewable energy systems, publicly owned, leased buildings, design, consideration: *SB 3156, CH 159 (1982)
- Restoration, craftsmen, traditional skills, L&I apprenticeship division responsibilities, register requirement, specialist, other employees, employment: Sub SB 3030

BUREAUS

- Fraud and arson bureau, insurance commissioner's office, created: SB 3366

BUSES/BUSING - SCHOOLS (See also PUBLIC TRANSPORTATION; TRANSPORTATION, DEPARTMENT OF)

- Bonds, pupil transportation vehicles, issuance authorized: Sub HB 869
- Student transportation, apportionment, distribution provisions implemented, SPI legislative report required: *Sub SB 4675, CH 24 E1 (1982)
- Student transportation, five-year contracts authorized: SB 4650, *Sub HB 849, CH 191 (1982)
- Students, private schools, public school transportation use permitted, conditions prescribed: SB 3750
- Transit drivers, operators, assaults on, penalty prescribed: *SB 4483, CH 140 (1982)

BUSINESS AND PROFESSIONS

- Agricultural, horticultural produce, crops, business inventory phase-out exemption freeze: Sub SB 4370
- Alcohol beverage business, banks, savings and loan associations, institutional investors, financial interest allowed: SB 4729, *Sub HB 1063, CH 85 (1982)
- Alcohol beverage business, banks, savings and loan associations, state, federal mutual savings banks, institutional investors, financial interest, as specified, allowed: SB 4729

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

BUSINESS AND PROFESSIONS—cont.

- Alcoholic beverage business, beer, wine, retail business financial interest prohibitions removed: *Sub HB 1063, CH 85 (1982)
- Alcoholic beverage business, importers, wholesalers, financial interest in bottling permitted: *Sub HB 1063, CH 85 (1982)
- Alcoholic beverage business, importers, wholesalers, permitted, financial interests defined: SB 4735
- Alcoholic beverage business, persons with financial interests, retail business financial interest prohibitions repealed: Sub SB 4546
- Alcoholic beverage business (wine), importers, wholesalers, permitted financial interests defined: SB 4546
- BIDCO, business and industrial development corporations act, enacted: Sub HB 977
- B&O tax credit, businesses locating in high unemployment areas, as defined: SB 4870
- Business and industrial development corporations act, enacted, banking supervisor administration: Sub HB 977
- Business inventory, tax credit freeze: Sub SB 4370
- Conservation and small scale renewable energy development, advisory committee appointment, fund established, bonds authorized, constitutional contingency: SB 3287, Sub SB 3287
- Counties, unincorporated areas, licensing authorized, conditions prescribed: SB 4421
- Employment, former state employees, firms agency had business with, restrictions specified: SB 4702
- Export assistance centers, establishment provisions, nonprofit corporation formation, commerce and economic department rules adoption, appropriation: Sub HB 1141
- Funeral directors, general revisions: *Sub HB 871, CH 66 (1982)
- Health studio services, contracts, regulated: SB 4721
- High unemployment areas, businesses, as specified, B&O tax credit: SB 4870
- High unemployment areas, businesses, as specified, industrial insurance tax credit: SB 4871
- Higher education institutions, private sector services, purchase authorized: Sub HB 1216
- Industrial insurance, tax credits, businesses, as specified, high unemployment areas: SB 4871
- Insurance premium tax, increased: SB 4578
- Laundry services, UW, private sector contracts allowed, supply management advisory board, arbitration: Sub HB 1216
- Licenses, fees, business, professional, authorized limits revised: SB 4561, *Sub SB 4561, CH 162 (1982)
- Manufacturing firms, investment tax deferrals, tax payment requirements: SB 4402
- Motor vehicles, owners' lists, licensing department, availability: *SB 4544, CH 215 (1982)
- Regulatory fairness act, agencies, economic impact, rules, requirements, conditions prescribed: *HB 385 CH 6 (1982)
- Sales tax, specified professional, personal services, inclusion: SB 4392

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

BUSINESS AND PROFESSIONS—cont.

- Salmon eggs, excess, disposition, fisheries department, director approval authority: SB 4612, SB 4761
- Salmon eggs, excess, disposition, fisheries department, priority list establishment: Sub SB 3385
- Salmon hatcheries, private nonprofit, authorized, conditions specified: SB 4754
- Salmon release—recapture facilities, authorized, fisheries department provisions: Sub SB 3385, SB 4761
- Salmon release—recapture facilities, authorized, fisheries department provisions, advisory council created: SB 4612
- Small business equity corporation act, enacted, governmental instrumentality, private equity flow, venture capital, corporate powers, etc: SB 4876
- Small business innovators' opportunity program, established, pilot project, termination date, CED appropriation: SB 4582, *HB 1013, CH 44 (1982)
- Small business investment act, enacted, state cooperative endeavors, as specified, public or nonprofit corporation authorized: SB 4874
- Trade names, registration required, conditions specified, fees, licensing department director rules adoption, appropriation: SB 4528
- Unfair business practices, pre-suit depositions, interrogatories, attorney general, authorized, procedures prescribed: SB 3913, *Sub SB 3913, CH 137 (1982)
- Veterinarians, regulations revised: SB 3373, *SB 4718, CH 134 (1982)
- Wildlife handling, selling businesses, wildlife agents, inspection provisions: *SB 4466, CH 152 (1982)

BUSINESS LICENSE CENTER

- General revisions: *Sub HB 878, CH 182 (1982)
- Grocery stores, pilot program, CED, authorization repealed: SB 4679, *Sub HB 878, CH 182 (1982)

CABLE TELEVISION

- Regulation, utilities and transportation commission authority: SB 4700

CAMPERS AND CAMPING (See also STATE PARKS)

- Campsite reservation, information system, state parks, parks, recreation commission establishment, rules adoption, appropriation: SB 3612

CAMPING CLUBS

- Contracts, regulations revised, civil actions, time share provisions, licensing department appropriation: *HB 1017, CH 69 (1982)

CANADA

- Bennett, the Honorable W R, Premier of British Columbia, address, legislative joint session, January 21, 1982: *HCR 34 (1982)

CANCER

- Cigarette tax, increased, research, funds use, DSHS allocation authority: HB 885, SB 4427
- Cigarette tax, increased, research, funds use, DSHS allocation authority, LBC program evaluation, report requirements: HB 885

CAPITOL BUILDINGS AND GROUNDS

- Legislative facilities, joint committee, created, facilities requirements: SB 3328, Sub SB 3328

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

CAPITOL LAKE

Rehabilitation, phase III, general administration department appropriation: *Sub
HB 1230, CH 48 E1 (1982)

CARBONE, DANIEL V.

Member, board of trustees, Seattle community college
district 7, GA 535, confirmed 20,447,877

CARD GAMES - SOCIAL

Cardrooms, playing time fees increased: Sub HB 1102
Tax imposed: SB 3379

CARGO

Lumber shipments, west coast to east, gulf coasts, foreign bottoms, authorization
petitioned, HR 3577 passage: SJM 130
Navigation projects, federal, full funding maintenance petitioned, user fees im-
position opposed: *SJM 115 (1982)

CASE, ROBERT A. II

Member, board of trustees, Central Washington University, GA 531,
confirmed 19,476,876

CATTLE (See also BEEF; LIVESTOCK)

Assessments, increased, exemption provision: *HB 947, CH 47 (1982)
Assessments, increased, notice publication, state register, newspapers: HB 947,
SB 4439, Sub SB 4439
Brucellosis adult vaccinated cattle, retesting requirements: *Sub SB 4046, CH
131 (1982)
Sales, no implied warranties provision: *SB 4436, CH 199 (1982)

**CEMETERIES (See also FUNERALS AND FUNERAL DIREC-
TORS)**

Districts, commissioners, public disclosure exemption: SB 3562
Districts, public disclosure requirements, electors, commissioners, exemption:
*Sub HB 40, CH 60 (1982)
Veterans' memorial parks, cemeteries, establishment, veterans affairs department,
feasibility study directed, report requirement: HB 836

CENSUS

Redistricting commission, independent, establishment authorized, conditions,
duties: SJR 136
State, constitutional requirement removed, obsolete terms updated: SJR 141
Voting boundary commission act, redistricting, reapportionment standards, pow-
ers, duties: SB 4426, *Sub HB 787 CH 2 (1982)

CENTENNIAL COMMISSION

Established, membership, responsibilities, annual report, appropriation: *HB 183,
CH 90 (1982)
Established, membership, responsibilities, state capitol area location, commerce
and economic department appropriation: HB 183

**CENTRAL WASHINGTON UNIVERSITY (See also REGIONAL
UNIVERSITIES)**

Case, Robert A, II, member, board of trustees: GA 531, confirmed .. 19,476,876

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
GA Gubernatorial Appointment.
SR Senate Floor Resolutions.
E2 (1981) ... Passed during 1981 Second Special Session.
E1 (1982) ... Passed during 1982 First Special Session.
E2 (1982) ... Passed during 1982 Second Special Session.

CENTRAL WASHINGTON UNIVERSITY—cont.

Retirement contributions, appropriation: SB 4424

Travel, reduction specified, sec 87 (vetoed): Sub HB 811

CENTRALIA COMMUNITY COLLEGE DISTRICT NO. 12, BOARD OF TRUSTEES

Hough, Cindy Kay, member: GA 563, confirmed 390,545,885

CERTIFICATE OF NEED PROGRAM

Threshold amounts increased: *HB 757, CH 119 (1982)

CERTIFICATES

Banks, trust companies, production credit associations, federal land banks, stock, participation certificates, authorized: HB 1074

Emergency medical technicians, period extended: *SB 3495, CH 53 (1982)

Excise tax registration certificate, nonrefundable deposit removed, fee established: *HB 765, CH 4 E1 (1982)

Mobile homes, sales, both spouses, participation required, title certificate signature requirement: SB 3100

Religious teaching, special, graduates, certain nonaccredited institutions with religious affiliations, authorized: Sub SB 4238

Teachers, accreditation, renewal requirements, education board duties: SB 4843

CERTIFICATES OF DEPOSIT

Credit unions, prohibition removed: SB 3151

Funds, state, investment authority, state treasurer, extended: *SB 4507, CH 148 (1982)

State treasurer, allocation alteration authorized: *SB 4506, CH 74 (1982)

CERTIFICATION

Schools, certificated personnel, certificates, registration refusal, revocation, SPI initial appeal conditions prescribed: SB 3336

CHALKER, RAYMOND L.

Member, board of trustees, Fort Steilacoom community college district 11, GA 538, confirmed 21,477,878

CHAMBERLAIN, NORMAN F.

Member, corrections standards board, GA 488, confirmed 8,929,1005

CHAMPEAUX, GLORIA

Member, public employees retirement board, GA 512, confirmed 14,476,870

Member, state investment board, GA 501 . 11; GA 573, confirmed . 435,610,887

CHAPLAINS

Salary, state-employed chaplains, rental value, housing/rental allowance designation provisions: SB 4757, *HB 1072, CH 190 (1982)

CHARITABLE ORGANIZATIONS

ASB funds, use, scholarship, charitable purposes, allowed, not considered public funds: SB 3617, *Sub SB 3617, CH 231 (1982)

ASB program funds, scholarship, charitable purposes, use authorized, funds defined: SJR 137

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

CHARITABLE ORGANIZATIONS—cont.

- Center for voluntary action, act, center, fund, council created, planning and community affairs agency appropriation: SB 4621, Sub SB 4621, *Sub HB 923, CH 11 E1 (1982)
- Collective bargaining, education employees, nonmembers, dues excused, religious grounds, charitable donation requirement removed: SB 4440
- Gambling activities, chapters, local units, assistance allowed, as specified: Sub HB 1102, SB 4783
- Gambling activities, membership qualification, voting requirement: Sub HB 1102
- Licensing requirements, removed, financial reporting requirements revised, attorney general, county prosecutors record examination authority: *Sub HB 778, CH 227 (1982)
- Political action committees, as specified, bona fide charitable, nonprofit organization, gambling purposes, allowed: Sub SB 4759
- Slot machines, bona fide non profit organizations, use permitted, gambling commission report required: SB 4443

CHARNLEY, SENATOR DONN

- Personal privilege, comments regarding time served in senate, acknowledging friendships 2640
- Remarks, retirement of Senator Wilson 1768

CHARTERS

- Electric streetcar operating on rails within city, chartering authorized: *SB 4952, CH 103 (1982)

CHECK STATIONS

- Establishment, game commission, department, prohibited: SB 4459
- Operation, authorized, game department, conditions specified: SB 4550, *Sub SB 4550, CH 155 (1982)

CHECKS AND MONEYORDERS

- Commission merchants, bad check provision: *Sub SB 4437, CH 20 (1982)
- Credit unions, prohibition removed: SB 3151
- Health care coverage, endorsement, joint required, exemption: Sub SB 4610, *Sub HB 824, CH 168 (1982)
- Unlawfully issued, payment time period reduced: *SB 4366, CH 138 (1982)
- Unlawfully issued, payment time period reduced, dollar amount, class C felony or gross misdemeanor increased: SB 4366

CHEMISTRY

- Substances, as specified, smelling, inhaling fumes, unlawful: SB 4736

CHERBERG, LIEUTENANT GOVERNOR JOHN A. (See also LIEUTENANT GOVERNOR; also RULING BY THE PRESIDENT; also PRESIDENT OF THE SENATE; also PARLIAMENTARY INQUIRIES)

- Presiding, joint sessions 4-6;395-398;486-491;614-616

CHICAGO BRIDGE AND IRON

- Cherry Point, shoreline, state-wide economic significance designation, commercial uses encouraged, as specified (vetoed): SB 4831

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

CHILD ABUSE

- Child abuse and neglect council, established, community-based programs, marriage license fee increased, report, termination, governor appropriation: *3rd Sub HB 179 CH 4 (1982)
- Definition revised: Sub HB 1048, *Sub SB 4461, CH 129 (1982)
- Incest, felonious acts specified: Sub HB 1048, *Sub SB 4461, CH 129 (1982)
- Schools, abuse prevention programs, SPI adoption urged: SCR 134, Sub SCR 134
- Sexual abuse, actions, time limits, rules of evidence, modified: SB 4461, *Sub SB 4461, CH 129 (1982)
- Sexual abuse, commencement of prosecution, five year limitation established: HB 682
- Sexual abuse, prevention, SPI, special curriculum development directed: SCR 124
- Shelter care, court requirements, detention provisions: Sub HB 1048, *Sub SB 4461, CH 129 (1982)

CHILDREN (See also **DAY CARE CENTERS AND SERVICES;**
FOSTER CARE; SOCIAL AND HEALTH SERVICES,
DEPARTMENT OF)

- Adoption, child relinquishment, adoptive parent, agency, prohibited without termination of parent-child relationship: Sub HB 451
- Adoption, consent, approval, person under 72 hours old, prohibited: Sub HB 451
- Adoption, consent, written, revocation, permitted anytime prior to court approval: Sub HB 451
- Adoption, contested termination cases, transfer to court ordered termination law, required: Sub HB 451
- Assault, victims, under 16, seventy-two hour reporting requirement not applicable, benefit limitation exemption, medical examination payment, L&I appropriation: HB 151
- Children and families division, DSHS, plans development, legislative submission schedule prescribed, services consolidation purposes: SB 4851
- Child safety restraints, standards adoption, parent use requirements, violations, fines: Sub HB 288, SB 3252, Sub SB 3252, SB 4548
- Custodial interference: SB 4509, SB 4521
- Custody, joint, conditions prescribed: Sub HB 905, SB 3246, Sub SB 3246, SB 4509
- Day care homes, private family, regulated: SB 3007, SB 4434
- Deinstitutionalization subsidy program, parents of institutionalized persons, created, conditions specified, DSHS secretary duties: SB 4847
- Education, state control, individuals, church education ministries, certain, exclusion: SB 4613
- Handicapped children program, eligibility extended, programs, children under three permitted: Sub SB 3912
- Handicapped children program, redesignated, handicapped students, eligibility extended, special aid limitations, programs, children under three permitted: SB 3912
- Infant, born alive during abortion procedure, immediate medical treatment required: SB 3370

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

CHILDREN—cont.

- Parent-child relationship, termination: Sub HB 451
- Schools, public, attendance exemption, religious, personal beliefs: SB 4737
- Sexual abuse, commencement of prosecution, five year limitation established: HB 682
- Social and health services financial responsibility act, enacted, recipients, responsible persons, conditions: Sub HB 759
- Support obligations, unemployment compensation benefits, disclosure, new claimants, required, deduction as specified, required: HB 1033, SB 4661, *Sub SB 4216, CH 18 E1 (1982), *Sub SB 4418, CH 201 (1982)

CHINA

- Trade agreements, far east nations, appropriate negotiations: *HJM 14 (1982)

CHIROPRACTIC SERVICES

- Health care insurance coverage, checks, joint endorsements required: Sub SB 4610, *Sub HB 824, CH 168 (1982)
- Public assistance recipients, services exclusion removed: *Sub SB 4285, CH 19 E1 (1982)

CHORE SERVICES - PUBLIC ASSISTANCE

- Clients, income, remaining, requirements specified: Sub HB 1105
- Clients, remaining income provision: *Sub SB 4369, CH 50 E1 (1982)
- Employable recipients, employment, training services delineated: SB 4962
- Persons not meeting new standards, continuance conditions prescribed: Sub SB 3538

CHURCHES

- Children, public school attendance exemption: SB 4737
- Clergy, hospital trustee boards, as specified, membership allowed: HB 1173
- Education, state control, individuals, church education ministries, certain, exclusion: SB 4613
- Liquor licenses, applications, within 500 feet, written notice requirement: *Sub HB 1063, CH 85 (1982)
- Teaching certificates, special, graduates, certain nonaccredited institutions with religious affiliations, authorized: Sub SB 4238

CIGARETTES AND TOBACCO PRODUCTS (See also SMOKING; TAXES - CIGARETTES AND TOBACCO)

- Inmates, not provided unless earned, sec 42 (vetoed): Sub HB 811
- Unfair cigarette sales act, renamed, unfair cigarette sales below cost act, license provisions, appropriation: *HB 1092, CH 16 E1 (1982)
- Unfair cigarette sales act, renamed, unfair cigarette sales below cost act, revolving fund created, license provisions: HB 1092

CITIES AND TOWNS (See also CITIES - 1ST CLASS; COUNCIL-MANAGER CITIES)

- Administrative inspections, warrants, issuance, execution, uniform procedure established: SB 4494, Sub SB 4494
- Annexation, petitions, elections, noncharter code city operation, freeholder duties, retroactivity provisions: *SB 3446, CH 220 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

CITIES AND TOWNS—cont.

- Appearance of fairness doctrine, applicability limited: SB 4741, *Sub HB 1011, CH 229 (1982)
- Audits, private accounting firms, use permitted, competitive bid requirement: Sub HB 857
- Bicycles, facilities, construction, modifications, state standards requirement: *Sub SB 4460, CH 55 (1982)
- Bicycles, paths, designated areas, designation, use, ordinances not allowed, funds expenditure prohibited: SB 4460
- Bicycles, redefined, limited access roadways use, state, local authorities, prohibitions, hand signals, traffic lanes use requirements revised: *Sub SB 4460, CH 55 (1982)
- Bonds, metropolitan municipal corporations, short-term obligations, issuance authorized, self-determined conditions: SB 4878
- Bonds, public transportation, motor vehicle excise tax pledge prohibition removed: SB 4878
- Building code, state, amendment prohibitions specified: SB 4653
- Building permits, issuers, agencies, property, diminished value, altered drainage, liability specified: SB 4916
- Candidates, municipal office, declaration of candidacy filing, city, town clerk, delivery to county auditor requirement: HB 439
- Card games, social, tax imposed: SB 3379
- Civil service commissions, regular meeting times, determination authority: SB 4860
- Codes, filing, one copy requirement, additional copies, library, city offices, if considered necessary by county authority: *Sub HB 58, CH 226 (1982)
- Collective bargaining, certain provisions, employees, inclusion: SB 4987
- Commercial zones, certain cities, establishment formula prescribed, establishment, expansion authorized, conditions specified: SB 4504
- Community economic revitalization board, created, powers, duties, revolving fund, termination: SB 4622, *2nd Sub HB 906, CH 40 E1 (1982)
- Community redevelopment financing act: SB 4603, Sub SB 4603, *2nd Sub SB 4603, CH 42 E1 (1982)
- Consolidations, annexation, population certification authority, planning, community affairs agency authority transferred, OFM: SB 3647
- Construction, reconstruction, subdivision development, local taxation prohibited: Sub HB 312, Sub HB 1014, SB 4451, *SB 4972, CH 49 E1 (1982)
- Contractors, unregistered, building permit revocation authority: SB 4631, Sub SB 4631
- Contracts, competitive bid requirements violations, penalties modified: SB 4758
- Contracts, municipal officers, permissible limits increased: SB 4570
- Convention and trade facilities, financing provisions: *Sub HB 1015, CH 34 (1982)
- Cultural arts, stadium, and convention districts, establishment permitted, powers, duties, taxing authority: *Sub HB 1156, CH 22 E1 (1982)
- Debts, public, collection agencies, use permitted: SB 4476, *HB 844, CH 65 (1982)
- Development charges, prohibited: Sub HB 312, Sub HB 1014, SB 4451, *SB 4972, CH 49 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

CITIES AND TOWNS—cont.

- Elections, legal notices, requirements revised: SB 4589
- Electric streetcar operating on rails within city, chartering authorized: *SB 4952, CH 103 (1982)
- Electrical inspection fees, cities, towns, use restriction specified: HB 1178
- Enterprise zone act, passage petitioned: HJM 22
- Environmental coordination, permit processing: Sub HB 634
- Environmental coordination procedures act, permit approval, time limits set: *HB 859, CH 179 (1982)
- Excise tax, power granted, conditions prescribed, hearing requirement: SB 4382
- Fire chiefs, fires investigation, police powers granted: Sub SB 3366
- Fireworks, permit fees establishment authorized: *Sub HB 1149, CH 230 (1982)
- Forest practices, licenses, certain, local government, EIS responsibility, termination date established: Sub SB 3725
- Gambling activities, county tax rate imposed certain incorporated areas, provision deleted: SB 4576
- Hazardous materials, incidents: SB 4525, *HB 883, CH 172 (1982)
- Health departments, combined city and county, personnel system separate from city or county personnel or civil service systems permitted: *SB 4354, CH 203 (1982)
- Heating systems, authorized: Sub SB 3033, 2nd Sub SB 3033
- Hotel, motel, special tax receipts, municipal park facilities, other capital improvements, use authorized: SB 3318
- Improvements, public, indebtedness, payment means provided: SJR 143, *Sub SJR 143 E1 (1982)
- Improvements, public, indebtedness, payment means provided, hearings requirements, eminent domain, potential use, public information: Sub SJR 143
- Incorporation, boundary review board procedure, SEPA exemption, charter elections: *SB 3446, CH 220 (1982)
- Land dedication, easements, permissible purposes enumerated, voluntary agreements: Sub HB 312, *SB 4972, CH 49 E1 (1982)
- Land dedication, permissible purposes enumerated, tax, fee provisions: Sub HB 1014, SB 4451
- Land, division, plat approval: Sub HB 1134
- Leasehold excise tax account, distribution limitation: *Sub HB 773, CH 4 E2 (1981)
- Libraries, contracts for services, boards of trustees not required: SB 4606
- LID's, formation, financing, procedures modified, petitions, bonds, interest rates, foreclosure, annual levy: HB 519
- Local improvement assessment deeds, issuance, property owner, occupant notice requirement: SB 4394
- Local improvement districts, delinquent assessment foreclosure, summons requirement, alternative method repealed: *Sub HB 823, CH 91 (1982)
- Local sales and use tax account, distribution limitation: *Sub HB 773, CH 4 E2 (1981)
- Manufactured housing advisory task force, planning and community affairs agency, establishment directed, members, report, assistance, appropriation: Sub SB 3308

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

CITIES AND TOWNS—cont.

- Manufactured housing sites, adequate, cities, towns, policy declared: Sub SB 3308
- Master program adjustments, review provisions, as specified, APA exemption, as specified: Sub HB 1098
- Metropolitan park districts, county treasurers' duties transferred to city treasurers, conditions specified: Sub HB 709
- Motor freight carriers, commercial zones, terminal areas established: *SB 4484, CH 71 (1982)
- Motor freight carriers, for hire, multiple taxation, gross receipts allocation principles stated, joint audits permitted: *HB 752, CH 169 (1982)
- Motor vehicle excise tax, local, authorized rate increased, public transportation support: SB 4868
- Motor vehicle excise tax, specified, 65% distribution, other distribution provisions: SB 4421, *SB 4972, CH 49 E1 (1982)
- Motor vehicles, owners' lists, licensing department, availability: *SB 4544, CH 215 (1982)
- Municipal sales and use tax equalization account, created, uses prescribed: SB 4421, *SB 4972, CH 49 E1 (1982)
- Neighborhood assistance act, enacted, businesses, B&O tax credit, planning and community affairs director program authority: SB 4915
- Pasco-Kennewick bridge, across Columbia river, preservation specifications: Sub SB 3027, 2nd Sub SB 3027
- Pension system boards, investment authority modified: *Sub HB 696, CH 166 (1982)
- Pistol regulations, local control preempted, regulations prescribed, vote of the people required: SB 4923
- Planning agencies, hearings, notice requirements revised: Sub HB 1007, SB 4776, Sub SB 4776
- Police courts, appellate procedures revised: SB 4489
- Pornography, civil actions, attorney general, prosecuting attorneys, city attorneys, private citizens, allowed: Sub HB 626
- Property interests, relief from governmental acts: SB 4766, *Sub HB 1006, CH 232 (1982)
- Public disclosure, small jurisdictions: *Sub HB 40, CH 60 (1982)
- Public facilities, certain, under construction, materials purchase, sales, use taxes exemption: SB 4821
- Public service companies, fees, licenses, certain, prohibitions specified, temporary continuation provision: *SB 4972, CH 49 E1 (1982)
- Public utilities, projects, expected revenues, borrowing on allowed: *HB 554, CH 24 (1982)
- Public works, domestic wood products, purchase required, OFM rules adoption, exemptions: SB 4823
- Purchase contracts, awarding, local excise tax revenues consideration authorized: HB 1231
- Real property, sales, excise tax provisions: *SB 4972, CH 49 E1 (1982)
- Records, public, preservation, destruction, provisions modified: *HB 357, CH 36 (1982)
- Salaries, employees, officials, higher than governor's, prohibited: SB 4615

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

CITIES AND TOWNS—cont.

- Sales, use taxes, additional, imposition allowed, repeal process requirement: SB 4421
- Sales, use taxes, additional, imposition authorized: *SB 4972, CH 49 E1 (1982)
- Sales, use taxes, local, monthly revenue distribution provisions: SB 4739
- Sales, use taxes, local, taxpayers, prepayment authorized, use provisions: Sub HB 1140, SB 4859, *Sub SB 4859, CH 211 (1982)
- Self-insurers, real, personal property loss, damage, losses resulting from such loss, insurance coverage permitted: SB 4765
- Shoreline management, substantial development, permits, granting revised: SB 4618
- Short-term obligations, issuance authorized, existing bonds, interest provision: SB 4728, *Sub SB 4728, CH 216 (1982)
- St Helens, eruption, recovery operations, cooperation provision: SB 4510, *Sub SB 4510, CH 7 (1982)
- Streets, closures, without prior publication, up to 12 hours permitted: *SB 4690, CH 145 (1982)
- Substantial development permits, ECPA permit definition exclusion: Sub HB 634
- Tax increment obligations, authorized, conditions prescribed, constitutional contingency: SB 4119, Sub SB 4119
- Tax powers prescribed: *SB 4972, CH 49 E1 (1982)
- Taxes, specified, application fees, benefit assessments, utility system connection charges, not prohibited: Sub HB 1014
- Traffic infractions, parking, notices, response failure, penalty imposition allowed: *SB 4492, CH 12 E1 (1982)
- Urban arterial board, council members, commissioners, membership permitted: *Sub HB 452, CH 209 (1982)
- Vacation leave, unused, accrued, termination of employment, payment prohibited, LEOFF exemption, accumulated use provision: *Sub SB 5007, CH 51 E1 (1982)
- Waste disposal facilities, referendum 39, state, local improvements revolving accounts appropriations increased: *Sub HB 1230, CH 48 E1 (1982)
- Water supply, facilities, referendum 38, DSHS appropriation: Sub SB 4270
- Water supply, PUD's service, governmental, private entities, adequate stream, river flow maintenance, property tax levy, voter proposition, authority: SB 3581
- Work release facilities, location, zoning laws applicability: *Sub HB 1230, CH 48 E1 (1982)

CITIES - 1st CLASS (See also CITIES AND TOWNS)

- Commercial zones, certain cities, establishment formula prescribed, establishment, expansion authorized, conditions specified: SB 4504
- Discrimination, ordinances against, authority: HB 100, SB 3920
- Electrical distribution and generating systems, bid revision: SB 4714
- Motor freight carriers, commercial zones, terminal areas, established: *SB 4484, CH 71 (1982)

CIVIL ACTIONS AND PROCEDURES

- Adoption, consent, approval, person under 72 hours old, prohibited: Sub HB 451
- Adoption, relinquishment, consent: Sub HB 451

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

CIVIL ACTIONS AND PROCEDURES—cont.

- Arbitration, jurisdiction, district, superior courts: SB 4695, *HB 897, CH 122 (1982)
- Arbitration, mandatory, dollar amount increased, conditions specified: *Sub HB 887, CH 188 (1982)
- Camping clubs, contracts, regulations revised, licensing department appropriation: *HB 1017, CH 69 (1982)
- Child safety restraints: Sub HB 288, Sub SB 3252, SB 4548
- Children, joint custody, conditions prescribed: Sub HB 905, SB 3246, Sub SB 3246, SB 4509
- Contractors, bonds, district court actions authorized, small claims department exclusion: SB 3115
- Conveyance tax, exempted transactions stated: SB 4038
- Damages, agreements, plaintiffs, defendants, court disclosure required: SB 4678
- Defendant, not to be found in county, prima facie evidence, not to be found in state, provision deleted: SB 3715
- Discovery rules, courts of limited jurisdiction, supreme court, adoption requirement: Sub SB 3110
- Estates, probate, informal, authorized, conditions specified: SB 4722
- Garnishment, writ received, garnishee, considered binding, continuing wage lien excluded: SB 4516
- Governmental regulation, private property, challenges, litigation expenses, as specified: SB 4989
- Hazardous materials, incidents: SB 3959, Sub SB 3959, SB 4525
- Human rights commission, complaints, pamphlet: Sub HB 926
- Hunting, interference with, prohibited, penalties prescribed, permitted civil actions: SB 4727
- Improper governmental actions, disclosure, public employees, reprisal prohibited, employee responsibilities, state auditor duties: *Sub HB 593, CH 208 (1982)
- Initiative 394, lawsuit against, BPA nonintervention, costs nonpayment directed, petitioned: SJM 119, Sub SJM 119
- Insurance commissioner, legal processes, certain fees increased: SB 3182
- Irrigation districts, adverse possession, real property recovery revisions: Sub HB 932
- Irrigation districts, damages, official duties, payment provision: Sub SB 3363
- Judgments, enforcement, homestead revisions: SB 3459, Sub SB 3459
- Judgments, interest rate increased: SB 4543, *HB 916, CH 198 (1982)
- Judgments, prejudgment interest permitted: Sub SB 3078
- Judgments, satisfaction requirements revised: SB 4744
- Jury trial, demand, filing fee increased, conditions specified: SB 4774
- Justice courts, unlawful detainer actions, concurrent original jurisdiction: SJR 140
- Malicious prosecution, grounds revised, damages, attorneys fees: HB 563
- Marriage, license applications, waiting period reduced: SB 4834
- Mobile home landlord-tenant act, tenancy termination, certain violation provisions revised: SB 4642
- Mortgages, satisfaction, damages, attorneys' fees allowed: SB 4517
- Notaries public, fees increased: SB 4552
- Parent-child termination: Sub HB 451

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

CIVIL ACTIONS AND PROCEDURES—cont.

- Personal property, tangible, acquired outside state, tax recovery, tax payment proof filing requirement: SB 4961
- Political advertising, violations, admitted, promises no further violation, revision, prosecutor, failure to act, injunction proceedings: HB 472
- Pornography, moral nuisances, defined, enforcement authority: *Sub HB 626, CH 184 (1982)
- Prevailing parties, expenses award provision: SB 3112
- Property, destroyed, owner, replacement cost, use loss value, recovery permitted: SB 4986
- Property interests, relief from governmental acts: SB 4766, *Sub HB 1006, CH 232 (1982)
- Retaliation, persons reporting wage, discriminatory practices, industrial safety violations, etc, prohibited, damages, injunctive relief, attorneys' fees: SB 4514
- Settlement conference rules, supreme court, adoption requirement: Sub SB 3110
- Small claims court, plaintiff, action commencement limitation: Sub SB 3110
- Tenancy abandonment, property disposal provisions, modified: SB 4557
- Unfair business practices, presuit depositions, interrogatories, attorney general, authorized, procedures prescribed: SB 3913, *Sub SB 3913, CH 137 (1982)
- Unlawful detainer actions, justice courts, concurrent original jurisdiction: SJR 140
- Unlawful detainer actions, procedures, bond requirement, modified: SB 4556
- Warrants, administrative inspections, issuance, execution, uniform procedures established: SB 4494, Sub SB 4494
- Wills, validity determination, prior to death of testator, authorized: SB 4710
- Writs, certain, fees increased: SB 4774

CIVIL RIGHTS (See also DISCRIMINATION; HUMAN RIGHTS COMMISSION)

- Children, public school attendance exemption, religious, personal beliefs: SB 4737

CIVIL SERVICE (See also SALARIES AND WAGES)

- Commissions, local, regular meeting times, determination authority: SB 4860
- Exempt positions, number increased: SB 4563
- Health departments, combined city and county, personnel system separate from city or county personnel or civil service systems permitted: *SB 4354, CH 203 (1982)
- Higher education personnel board, basic procedures, rules modified: Sub HB 763
- Job consideration, number of names, referral, increased: Sub HB 763, *Sub HB 1226, CH 53 E1 (1982)
- Layoffs, seniority, performance basis, reemployment, seniority basis, rules adoption ensuring required: *Sub HB 1226, CH 53 E1 (1982)
- Layoffs, subsequent reemployment, seniority, performance basis, personnel, higher education personnel boards, formula development directed: Sub HB 1226
- Leave-without-pay program, governor authority, certain agencies, management priority: Sub HB 1226
- Performance evaluation standards, council for postsecondary education management employees, development directed: *Sub HB 1226, CH 53 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

CIVIL SERVICE—cont.

- Performance evaluation standards, development required, appeal limitation: *Sub HB 1226, CH 53 E1 (1982)
- Personnel activities, administrative, technical, delegation authorization, personnel director standards, guidelines prescription required: Sub HB 763, *Sub HB 1226, CH 53 E1 (1982)
- Personnel board, basic procedures, rules modified: Sub HB 763
- Probation period, flexibility permitted: *Sub HB 1226, CH 53 E1 (1982)
- Reduction-in-force, higher education, formula requirements, nonappealable beyond agency: Sub HB 763, Sub HB 1226
- Reduction-in-force, ratio requirement, OFM director exception authority, agency report requirements: Sub HB 763
- Reduction-in-force, state agencies, formula requirements, nonappealable beyond agency: Sub HB 1226
- Reemployment formula, development required, performance, seniority provisions, nonappealable beyond agency: Sub HB 763
- Reversion rights, classified employees in exempt positions, four year limitation: Sub HB 763, *Sub HB 1226, CH 53 E1 (1982)
- Sheriffs, investigation demand, hearings, written opinions time-frame requirements: *SB 4680, CH 133 (1982)
- State park rangers, entry level, probationary requirements revised: *SB 4307, CH 79 (1982)
- Step increases, prohibitions, allowable increases specified: Sub HB 1226
- Vacation leave, unused, accrued, termination of employment, payment prohibid, LEOFF exemption, accumulated use provision: *Sub SB 5007, CH 51 E1 (1982)
- Work performance, step increase, review requirement, nonappealable beyond agency: Sub HB 763

CLAIMS (See also **SUNDRY CLAIMS**)

- Industrial insurance, self-insurers, denial notice requirements: *SB 4133, CH 20 E1 (1982)

CLALLAM COUNTY

- Olympic county, established, formed from parts of Clallam and Jefferson counties: SB 4854, Sub SB 4854
- Superior court, judge, one additional authorized, salary payment requirement: *Sub SB 4449, CH 139 (1982)
- Superior court, judges, Clallam/Jefferson counties, jointly, number increased: SB 4449

CLAMS (See also **RAZOR CLAMS; FOOD FISH AND SHELL-FISH**)

- Farmers, catch, sales direct to consumer allowed: HB 1071, SB 4872
- Harvesting leases, maximum annual increase rate establishment exemption: *Sub SB 4824, CH 21 E1 (1982)
- Public lands clam management account, established, shellfish harvesting fees, certain, purposes prescribed, DNR, fisheries department duties, appropriation: Sub SB 3442

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

CLARK COMMUNITY COLLEGE DISTRICT NO. 14, BOARD OF TRUSTEES

Frichtl, Dianne E, member: GA 555, confirmed 388,610,882

CLARK, GIRARD

Member, board of trustees, Spokane community college district 17, GA 566, confirmed 391,735,1008

CLARKE, HAROLD D.

Member, sentencing guidelines commission, GA 516, confirmed 15,404,872

CLARKE, SENATOR GEORGE W.

Notice of proposed senate rule change, cutoff dates 539
Remarks, regarding governor's proclamation extending special session 1841

CLIFFORD, ARTHUR F. JR.

Member, sentencing guidelines commission, GA 517, confirmed 15,404,872

CLUBS

Liquor license, class H, bona fide club organizers, authorized: Sub HB 1063, SB 4513

COAL AND COAL PRODUCTS

Coal slurry pipelines, certain, EFSEC authority: SB 4508
Federal severance tax trust fund, establishment petitioned: SJM 126

COCK FIGHTING

Cruelty, penalties: *HB 621, CH 114 (1982)

COCKTAILS

Lounges, food pick up, persons over 18, allowed, unless locally prohibited: Sub HB 1063

CODE REVISER (See also REVISED CODE OF WASHINGTON)

Double amendments, various statutes, corrected: SB 4486, *HB 884 CH 10 (1982)
Initiatives, referendums, petition requirements updated: *Sub HB 663, CH 116 (1982)
Obsolete laws, recommendations to legislature, directed: SCR 136
Rules, nonconforming, suspensions, state register publication: SB 3269
Rules, proposed, not considered within legislative intent, rules review committee responsibility, agencies notification: SB 3269
Rules review committee, bipartisan joint administrative, created: SB 3269
Statutes, rules, state, legislative committees, free copies allowed, session laws, house, senate journals distribution requirements: *SB 4717, CH 32 E1 (1982)

CODES (See also STATE BUILDING CODE)

Fair campaign, enacted, prohibited practices specified, public disclosure commission duties: SB 4869
Local government, filing, codes, one copy requirement, additional copies, library, city office, if considered necessary by county authority: *Sub HB 58, CH 226 (1982)
School, common, SPI publication implementation, sales proceeds distribution: SB 3241

* Measures passed by Senate and House. Also Senate Resolutions adopted.
GA Gubernatorial Appointment.
SR Senate Floor Resolutions.
E2 (1981) ... Passed during 1981 Second Special Session.
E1 (1982) ... Passed during 1982 First Special Session.
E2 (1982) ... Passed during 1982 Second Special Session.

CODES—cont.

School, miscellaneous changes, obsolete sections removal: SB 4707, Sub SB 4707

COGENERATION FACILITIES (See also POWER FACILITIES AND RESOURCES)

Heating systems, municipal corporations, establishment authorized, conditions specified: Sub SB 3033, 2nd Sub SB 3033

Tax credit, increased: *SB 3394, CH 2 E1 (1982)

Tax credit, limitation provisions: SB 4607

COHEN, BERTA

Member, public disclosure commission, GA 408, confirmed . . . (1981), 1014,1198

COIN-OPERATED MACHINES (See also VENDING MACHINES)

Slot machines, bona fide charitable, nonprofit fraternal organizations, use permitted, gambling commission report requirement: SB 4443

COLEMAN, H. JOSEPH

Member, sentencing guidelines commission, GA 518, confirmed 16,404,872

COLLECTION AGENCIES

Collection agency board, abolished, functions transferred, licensing department: Sub HB 778

Debts, public, governmental agencies, use permitted: SB 4476, *HB 844, CH 65 (1982)

COLLECTIVE BARGAINING (See also LABOR AND LABOR RELATIONS)

Cities, towns, employees, inclusion, as specified: SB 4987

Community colleges, RIF procedures: *Sub HB 782, CH 13 E2 (1981)

Education employees, nonmembers, dues excused, religious grounds, charitable donation requirement deleted: SB 4440

Education employees, nonmembers, representation fees: Sub SB 4440

Education employees, nonmembers, representation fees, certain, deduction authority removed: SB 4440

Education employees, salary deductions, political purposes: SB 4440, Sub SB 4440

Fact-finding procedures, educational employment relations act, established: SB 3405

Ferry system, employees, labor relations provisions revised, marine employees commission created: SB 4609, Sub SB 4609

Joint operating agencies, public employees provisions applicability: SB 4818

Mandated health care, joint select committee established, members, duties, report requirements: SCR 137, *Sub SCR 137 (1982)

Public employees, labor relations revisions, public employment labor relations service fund, created: SB 4954

Shared work unemployment insurance program, established, employment security department, conditions specified, federal conflicts provision: SB 4593

Unfair labor practices, complaints, filing period limitation: SB 4730

* Measures passed by Senate and House. Also Senate Resolutions adopted.
GA Gubernatorial Appointment.
SR Senate Floor Resolutions.
E2 (1981) . . . Passed during 1981 Second Special Session.
E1 (1982) . . . Passed during 1982 First Special Session.
E2 (1982) . . . Passed during 1982 Second Special Session.

COLLEGES AND UNIVERSITIES (See also name of college or university; **COMMUNITY COLLEGES**; **HIGHER EDUCATION**; **TUITION AND FEES - HIGHER EDUCATION**)

- Assistance programs, federal funds, further reductions opposition petitioned: SJM 118, *Sub SJM 118 (1982)
- Enrollment, 1982 high school graduates, after March 29, 1982, authorized: SB 4511
- Facilities, acquisition, research, experimental use, exempt from GA director authority: *Sub HB 810, CH 41 (1982)
- Facilities, living in, persons of legal age, requirement prohibited: Sub HB 148
- Idaho, tuition, fees reciprocity authorized, net revenues loss computation: HB 461
- Insurance, proprietary coverage, risk management office purchase requirement, UW exemption: HB 933, SB 4564
- Laundry services, UW, private sector contracts allowed, supply management advisory board, arbitration: Sub HB 1216
- Motorcycle education courses, offering required: Sub SB 3381
- Private sector services, purchase authorized: Sub HB 1216
- Salaries, postsecondary education council, responsibilities, studies, legislative reports: SB 3881
- Scholars program, high school seniors, program development, selection, awards ceremonies, CPE appropriation: SB 3635
- Tuition, fee waivers, foreign students, authorized: Sub SB 3347

COLUMBIA BASIN COMMUNITY COLLEGE DISTRICT NO. 19, BOARD OF TRUSTEES

Elmgren, Raymond L, member: GA 543, confirmed 22,735,1007

COLUMBIA RIVER

- Columbia river gorge commission, abolished: SB 4633, SB 4914
- Columbia river gorge review commission, created, powers, duties, members, appropriation: SB 4914
- Columbia river gorge select committee, abolished: SB 4914
- Pasco-Kennewick bridge, preservation specifications: Sub SB 3027, 2nd Sub SB 3027
- Salmon enhancement activities, congressional appropriations requested: SJM 114
- Salmon enhancement activities, support program, fisheries department, development requested: SCR 125
- Salmon fishing, commercial, tributaries, streams, prohibited: SB 4388

COMMERCE AND ECONOMIC DEVELOPMENT AND DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

- Advisory council, abolished: SB 4633, *Sub HB 762, CH 163 (1982)
- Business and industrial development corporations act, enacted, banking supervisor administration: Sub HB 977
- Centennial commission, established, appropriation: Sub SB 3031
- Centennial commission, established, membership, responsibilities, annual report, commission appropriation: *HB 183, CH 90 (1982)
- Centennial commission, established, state capital area location, staff support, appropriation: HB 183

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

**COMMERCE AND ECONOMIC DEVELOPMENT AND
DEPARTMENT OF COMMERCE AND ECONOMIC
DEVELOPMENT—cont.**

- Cherry Point, shoreline, state-wide economic significance designation, commercial uses encouraged, as specified (vetoed): SB 4831
- Community economic revitalization board, created, powers, duties, revolving fund, termination: SB 4622, *2nd Sub HB 906, CH 40 E1 (1982)
- Community redevelopment financing act: SB 4603, Sub SB 4603, *2nd Sub SB 4603, CH 42 E1 (1982)
- Cooperative economic development act: SB 4990
- Cultural arts, stadium, and convention districts, establishment permitted, powers, duties: Sub HB 1156
- Economic impact act, repealed: SB 4424
- Energy fair '83, OFM appropriation, general fund reversion, Benton/Franklin counties matching funds failure provision, date delayed: SB 4641
- Energy fair '83, OFM appropriation, granted, general fund reversion, Benton/Franklin counties matching funds failure provision deleted: Sub SB 4264, *Sub SB 4369, CH 50 E1 (1982)
- Enterprise zone act, passage petitioned: HJM 22
- Expo '86, joint select committee, established, members, duties, British Columbia exposition: *SCR 138 E1 (1982)
- Export assistance centers, establishment provisions, rules adoption, appropriation: Sub HB 1141
- Forest products industry employment recovery act: SB 4711
- Forest products recovery act, extension, default, interest provisions, St. Helens damaged timber excluded: *Sub SB 4663, CH 222 (1982)
- Grocery stores, pilot program, authorization repealed: SB 4679, *Sub HB 878, CH 182 (1982)
- Investments, economic stimulation, state investment board, urged: *HCR 37 E1 (1982)
- Lumber shipments, west coast to east, gulf coasts, foreign bottoms, authorization^{*} petitioned, HR 3577 passage: SJM 130
- Navigation projects, federal, full funding maintenance petitioned, user fees imposition opposed: *SJM 115 E1 (1982)
- Occupational information service, employment security department, designated agency, conditions specified: SB 4628, *Sub HB 920, CH 43 (1982)
- Public improvements, indebtedness, payment means provided: SJR 143, *Sub SJR 143 E1 (1982)
- Public improvements, indebtedness, payment means provided, hearings requirements, eminent domain, potential use, public information: Sub SJR 143
- Public investment task force, established, members, duties, interim, final reports, termination, appropriation: SCR 147
- Red cedar, western, foreign shipment ban, repeal petitioned: SJM 127
- Sewer lines, new, referendum 39 bond moneys, use authorized, high unemployment areas, industrial districts development priorities: SB 4877
- Small business innovators' opportunity program, established, pilot project, termination date, appropriation: SB 4582, *HB 1013, CH 44 (1982)
- State trade fair fund, surplus funds, director, foreign trade related activities, expenditure authority: SB 4385, *HB 780, CH 2 E2 (1981)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

**COMMERCE AND ECONOMIC DEVELOPMENT AND
DEPARTMENT OF COMMERCE AND ECONOMIC
DEVELOPMENT—cont.**

- State trade fair fund, surplus funds, use, foreign countries, matching requirements: HB 780
- Timber contracts, existing, as specified, extension provisions, interest rate set, St Helens damaged timber excluded: Sub SB 4663, SB 4945
- Timber contracts, existing sales, as specified, extension permitted: SB 4788
- Timber contracts, forest products industry employment recovery act, enacted: SB 4711
- Timber sales, procedures, modifications, DNR, directed: *HCR 42 (1982)
- Tourism, program development, duties, report: SB 4696
- Washington works year, 1982, established: SCR 133
- Winter recreation commission, established, members, duties, economic development purpose, termination date: *Sub SB 4841, CH 27 E1 (1982)
- Wood products, domestic, public works projects, purchase required: SB 4823

COMMERCIAL ZONES

- Cities, certain, establishment formula prescribed, establishment, expansion authorized, conditions specified: SB 4504
- Defined, established: *SB 4484, CH 71 (1982)
- School districts, excess levy authority, phaseout schedule: SB 3848

COMMISSIONERS

- Cemetery districts, public disclosure exemption: SB 3562
- Port commissioners, three-member districts, large, certain, membership expansion, requirement, proposition submission, commissioner district provision: HB 57, SB 4448
- Port commissioners, three-member districts, 500,000 population reached, increase to five consideration, election requirement: *SB 4425, CH 219 (1982)
- Special purpose districts, merged, office-holding, election, ballot provisions modified: *SB 4905, CH 104 (1982)
- Utilities and transportation commission, nonpartisan state-wide elected officials provision, election requirements specified: SB 4591

COMMISSIONS

- Apple advertising, persons over 18, service allowed: Sub HB 148
- Apple, assessment, apple processing, levying authorized: SB 4689
- Asian-American affairs, membership, quorum requirements revised, per diem pay removed: *HB 942, CH 68 (1982)
- Auctioneer's licensing act, commission established, members, license regulations, licensing department appropriation: *Sub HB 436, CH 205 (1982)
- Beef, persons over 18, service allowed: Sub HB 148
- Blind, abolished, powers, duties transferred, social and health services department: SB 4553
- Centennial, established, membership, responsibilities, annual report, appropriation: *HB 183, CH 90 (1982)
- Centennial, established, membership, responsibilities, appropriation: Sub SB 3031
- Centennial, established, membership, responsibilities, state capital area location, commerce and economic development department appropriation: HB 183

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

COMMISSIONS—cont.

- Civil service, local, regular meeting times, determination authority: SB 4860
 Columbia river gorge, abolished: SB 4633, SB 4914
 Columbia river gorge review, created, powers, duties, members, appropriation: SB 4914
 Commodity, persons over 18, service allowed: Sub HB 148
 Criminal justice, advisory, governor's office, established, conditions specified: SB 4515
 Energy conservation and development, established, conditions specified, energy office, EFSEC abolished: SB 4844
 Expo '74, abolished: *Sub HB 762, CH 163 (1982)
 Fruit, persons over 18, service allowed: Sub HB 148
 Housing finance, established, appropriation: 2nd Sub SB 3084
 International performing festival arts steering, abolished: *Sub HB 762, CH 163 (1982)
 Law revision, created, members, duties, annual legislative report: *HB 826, CH 183 (1982)
 Marine employees', created, ferry system employees labor relations, appropriation transferred from DOP: SB 4609, Sub SB 4609
 Members, terms eligibility, redistricting effect: *Sub HB 1165, CH 30 E1 (1982)
 Oceanographic, abolished: *Sub HB 762, CH 163 (1982), SB 4633
 Public service, name change from utilities and transportation commission: SB 3898
 Reapportionment and redistricting act: SB 3263, Sub SB 3263
 Reciprocity, abolished, functions transferred, licensing department: *Sub HB 778, CH 227 (1982)
 Redistricting, establishment, members, direction, supreme court jurisdiction: Sub SJR 108, SJR 119
 Redistricting, independent, establishment authorized, conditions, duties: SJR 136
 Salmon harvesters, creation, referendum provision, members, powers, duties, inspection, enforcement authority, civil service, budget, accounting exemptions: Sub SB 3204
 Traffic safety, governor's absence, employee designation, voting, presiding provisions revised: SB 4632
 Traffic safety, governor's absence, employee designation, voting provision revised, may not preside: *Sub HB 946, CH 30 (1982)
 Traffic safety, transferred to office of community programs: SB 4586, Sub SB 4586
 Tree fruit research, persons over 18, service allowed: Sub HB 148
 Utilities and transportation commission, nonpartisan state-wide elected officials provision, election requirements specified: SB 4591
 Utilities and transportation, name change, public service commission: SB 3898
 Voting boundary commission act, enacted, redistricting, reapportionment standards, powers, duties: SB 4426, *Sub HB 787 CH 2 (1982)
 Wheat, persons over 18, service allowed: Sub HB 148
 Winter recreation, established, members, duties, economic development purpose, termination date: *Sub SB 4841, CH 27 E1 (1982)
 Worlds fair, century 21 exposition, abolished: *Sub HB 762, CH 163 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

COMMITTEE ASSIGNMENTS (See also APPENDIX)

- Senator McCaslin resigned as member and chairman, committee on agriculture..... 23
 Senator Newhouse appointed chairman, committee on agriculture 23

COMMITTEES (See also APPENDIX)

- Advisory, licensing department director, appointment authority: *Sub HB 778, CH 227 (1982)
 Aquatic lands, joint legislative, members, duties, report, termination: *Sub SB 4824, CH 21 E1 (1982)
 Child development and mental retardation center advisors, abolished: *Sub HB 762, CH 163 (1982)
 Child welfare and day care advisory, redesignated children's services advisory committee: *Sub HB 848, CH 118 (1982)
 Columbia river gorge select, abolished: SB 4914
 Conservation and small scale renewable energy development advisory, energy office appointment, constitutional contingency: SB 3287, Sub SB 3287
 Coroner qualifications, joint select, established, members, duties, report: SCR 132
 Earth-sheltered construction, joint select, establishment, members, purposes, report: SCR 112
 Educational policies, structure, management, temporary, created, members, duties, report, termination, appropriation: *SB 3609, CH 33 E1 (1982)
 Emergency management select, establishment, program consideration, members, report: SCR 142
 Employment agency advisory, abolished, functions transferred, licensing department: *Sub HB 778, CH 227 (1982)
 Expo '86, joint select, established, members, duties, British Columbia exposition: *SCR 138 E1 (1982)
 Financial institutions, joint, created, current regulation examination specified, termination: *Sub HB 833, CH 3 (1982)
 Financial responsibility for residential and nonresidential services joint select, created: *Sub SB 4418, CH 201 (1982)
 Forest practices advisory, abolished: SB 4633
 Grass burning research advisory, abolished: SB 4633
 Industrial welfare, abolished, duties transferred, labor and industries department: HB 1058, SB 4579, SB 4633, *Sub HB 762, CH 163 (1982)
 Interagency committee for outdoor recreation, transferred to office of community programs: SB 4586, Sub SB 4586
 Investment advisory, cities, town pension system boards, required: *Sub HB 696, CH 166 (1982)
 John Wayne trail select, establishment, members, duties: SCR 143
 Legislative facilities, joint, created, facilities requirements: SB 3328, Sub SB 3328
 Legislative, statutes, rules, state, free copies allowed: *SB 4717, CH 32 E1 (1982)
 Legislative transportation, additional member authorized, officers election, executive committee membership, duties specified: Sub SB 3670
 Mandated health care, select committee established, members, duties, report requirements: SCR 137, *Sub SCR 137 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

COMMITTEES—cont.

- Milwaukee road select, establishment, members, duties: *SCR 143 E1 (1982)
- Motorcycle safety education advisory, created, members, duties: SB 4692, *Sub SB 4692, CH 77 (1982)
- Oil and gas conservation, powers, duties revised, oil and gas definitions, regulations revised: SB 4944
- Oil and gas conservation, powers, duties revised, oil and gas definitions, regulations revised, severance tax imposed, revolving account created: Sub SB 4944
- Oil and gas, joint, formation, search, development, current laws study, report: *HCR 50 E1 (1982)
- Open meetings, governing body, redefined, committee, certain authority, inclusion: Sub HB 213
- Open meetings, meeting sites, alternative, times of emergency, selection authorized: Sub HB 213
- Physical therapists examining, name change, physical therapy board, membership increase, professional qualifications, continuing education, license suspension: SB 3332, Sub SB 3332
- Poison prevention packaging act, technical advisory, abolished: SB 4633, *Sub HB 762, CH 163 (1982)
- Radioactive waste, joint select, established, members, duties, report: SCR 140
- Retirement advisory, created, advisory capacity to director of retirement systems: SB 4633, *Sub HB 762, CH 163 (1982)
- Solid waste advisory, abolished: Sub HB 762
- Solid waste advisory, membership increased, scope expanded: *SB 4909, CH 108 (1982)
- State building code, joint select, members, duties, report: SCR 139
- St Helens disaster relief, select committee establishment: *SCR 126 E2 (1981)
- St Helens recovery oversight, appointment, duties, report: SB 4510, *Sub SB 4510, CH 7 (1982)
- Telephone systems, joint select, establishment, duties, report: *HCR 33 (1982)
- Timber contract price indexing advisory, created, members, duties, report: *Sub SB 4663, CH 222 (1982)
- Transition lands technical advisory, created: Sub SB 4664
- Unemployment compensation, joint, created, responsibilities, report, members, termination: SB 4596
- Urban, rural, racial disadvantaged advisory, abolished: *Sub HB 762, CH 163 (1982)
- Voting machine, abolished, duties transferred, secretary of state: *HB 572, CH 40 (1982)
- Winter recreation advisory, created, powers, duties, termination date: HB 386, *SB 3737, CH 11 (1982)
- WPPSS monitoring, special, created, duties specified, report: SCR 145
- Youth development and conservation, abolished: SB 4633, *Sub HB 762, CH 163 (1982)

COMMODITIES

- Apple processing, assessment, apple commission, levying authorized: SB 4689
- Trucking industry, partial deregulation, legislative transportation committee, study directed: Sub SCR 107

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

COMMON CARRIERS

- Commercial zones, certain cities, establishment formula prescribed, establishment, expansion authorized, conditions specified: SB 4504
- Hazardous materials, incidents: SB 3959, Sub SB 3959, SB 4525, *HB 883, CH 172 (1982)
- Hazardous materials, transportation, bills of lading, red in color or red border, requirement removed: *HB 457, CH 83 (1982)
- Industrial insurance, under certain conditions, exemption allowed: SB 4649, *HB 454, CH 63 (1982)
- Motor freight carriers, commercial zones, terminal areas, established: *SB 4484, CH 71 (1982)
- Motor freight carriers, for hire, multiple taxation, gross receipts allocation principles stated, joint audits permitted: *HB 752, CH 169 (1982)
- Workers compensation, truck owner-operators, not considered workers, coverage purposes: *SB 4558, CH 80 (1982)

COMMUNICATIONS

- Expo '86, joint select committee, established, members, duties, British Columbia exposition: *SCR 138 E1 (1982)
- Rape crisis centers, records, defense attorney availability, conditions prescribed: Sub SB 3958
- Sexual assault victims, counselors, crime prosecution, not admissible, conditions prescribed: SB 3958

COMMUNITY COLLEGE EDUCATION, STATE BOARD

- Abolished, property, moneys transferred council for postsecondary education: SB 4457
- Courses, eligibility, fund support, eligibility determination authorized: SB 3926
- Director, vocational education commission membership, removed, funding analysis to vocational education commission, required: SB 4738, Sub SB 4738
- Displaced homemaker program, agency services description, dissolution fee collection: HB 286
- Displaced homemaker program, agency services description, marriage license fee, additional imposed, postsecondary education council appropriation: *HB 286, CH 15 E1 (1982)
- Financial emergencies, community colleges, board determination, RIF procedures prescribed, rights, hearing provision: *Sub HB 782, CH 13 E2 (1981)
- Hayes, Philip S, member: GA 583, confirmed 1004,1120,1200
- Occupational information service, employment security department, designated agency, conditions specified: SB 4628, *Sub HB 920, CH 43 (1982)
- Parenting education program, tuition waivers, reduction prohibition, sec 83: *Sub HB 811, CH 14 E2 (1981)
- Radke, Helen, member: GA 474, confirmed (1981), 417,863
- Retirement contributions, appropriation: SB 4424
- Travel, reduction specified, sec 83 (vetoed): Sub HB 811
- Treasurer, appointment, directed, receipts deposit, disbursements, bond requirements: SB 3821
- Vendor payments, state treasurer duties specified: SB 4732, *HB 1036, CH 50 (1982)
- Vocational education, functions, federally required, certain, redefined: SB 4725

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

COMMUNITY COLLEGE EDUCATION, STATE BOARD—cont.

Vocational education, professional staff, support personnel, transferred, commission for vocational education: SB 4738, Sub SB 4738

COMMUNITY COLLEGES

Boards, appointment qualifications implemented, as specified, removal causes stated: SB 4756

Community service courses, fee determination authorized: SB 3926

Courses, eligibility, fund support, community college education board, authorized: SB 3926

Courses, offered on contract basis, enrollments, costs, certain, discounted, as specified: SB 3926

Districts, abolished, facilities transferred, regional universities, program continuation, faculty retained: SB 4457

Educational courses, contractual basis, authority limitation removed: SB 3926

Enrollment, 1982 high school graduates, after March 29, 1982, authorized: SB 4511

Financial emergencies, board determination, RIF procedures prescribed, rights, hearing provision: Sub HB 782

Financial emergencies, community college education board determination, RIF procedures prescribed, rights, hearing provision: *Sub HB 782, CH 13 E2 (1981)

Motorcycle education courses, offering required: Sub SB 3381

Salaries, increases, appropriation decrease, salary, incremental fringe benefit increase allocation deleted, 5% decrease, April, 1982, required: SB 4611

Tenure, probationary period extended: HB 361

Trustees boards, members, removal, governor, provisions: HB 361

Tuition, fees, miscellaneous changes prescribed, council for postsecondary education student financial aid supplementation appropriation: *2nd Sub HB 784, CH 37 E1 (1982)

Vocational education, functions, federally required, certain, redefined: SB 4725

COMMUNITY ECONOMIC REVITALIZATION BOARD

Created, powers, duties, revolving fund, termination: SB 4622, *2nd Sub HB 906, CH 40 E1 (1982)

COMMUNITY SERVICES

Child abuse and neglect council, established, DSHS appropriation: 3rd Sub HB 179

Child abuse and neglect council, established, governor appropriation: *3rd Sub HB 179, CH 4 (1982)

Community colleges, courses, fee determination authority: SB 3926

Community mental health services act, revised: SB 4786, SB 4787, *Sub SB 4786, CH 204 (1982)

Convicted persons, defined: *Sub HB 874, CH 192 (1982)

Neighborhood assistance act: SB 4915

Parks, municipal facilities, other capital improvements, hotel, motel, special tax receipts, use authorized: SB 3318

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

COMMUNITY SERVICES—cont.

- Planning and community affairs agency, reorganized, office of community programs, purpose declared, functions, duties, sunset termination: SB 4586, Sub SB 4586
- Posttraumatic stress disorder training, community mental health professionals, DSHS appropriation: HB 470
- Ride-sharing programs, other transportation system techniques, priority, policy established: SCR 135
- School community recreation districts: SB 4912
- Vehicles, ride-sharing, elderly, handicapped persons, MVET exemption: SB 4760, *Sub SB 4545, CH 142 (1982)

COMPACTS (See also INTERSTATE COMPACTS)

- Motor vehicles, nonresident violator compact, motorist violations: SB 4750, *Sub SB 4750, CH 212 (1982)

COMPARABLE WORTH - SALARIES (See also SALARIES AND WAGES)

- Higher education, state employees, adjustment required, as specified: SB 4769

COMPENSATION (See also SALARIES AND WAGES; UNEMPLOYMENT COMPENSATION BENEFITS)

- Insurance commissioner, examiners, expenses, OFM schedule establishment: SB 3181
- Property interests, relief from governmental acts: SB 4766, *Sub HB 1006, CH 232 (1982)
- Public transportation, benefit areas, exclusions, citizen members retention, compensation, structure review requirement: 2nd Sub HB 424
- Youth development, conservation corps, members, increases authorized: HB 273, *SB 4313, CH 70 (1982)
- Youth development, conservation corps, members, increases authorized, parks, recreation commission, appropriation: SB 4313

CONDEMNATIONS

- Property interests, relief from governmental acts: SB 4766, *Sub HB 1006, CH 232 (1982)

CONDOMINIUMS

- Mobile home sites, condominium law applicability: SB 4939, SB 4941
- Time-sharing, regulated, conditions specified, penalties, prescribed: SB 3775
- Time-sharing, regulated, conditions specified, penalties prescribed, licensing department appropriation: Sub SB 3775, 2nd Sub SB 3775

CONFERENCE COMMITTEES

- Appointed: ESB 4559, 1455; ESB 4748, 1456, 1520; ESSB 4675, 1973; ESSB 3946, 1973; HB 600, 1974; SB 4717, 1997; ESB 4748, 1758; SSB 4153, 1759; ESSB 4369, 1971
- Reports: ESB 4559, 1547; ESB 4559, 1585; ESSB 4675, 2006; ESSB 3946, 2008; ESB 4748, 2018; SB 4717, 2022; SB 4717, 2030; HB 600, 2045; ESSB 4369, 2097; SB 4717, 2150; HB 600, 2307; ESSB 3783, 2499; ESSB 3783, 2542; ESSB 4369, 2587

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) ... Passed during 1981 Second Special Session.
- E1 (1982) ... Passed during 1982 First Special Session.
- E2 (1982) ... Passed during 1982 Second Special Session.

CONFIDENTIALITY (See also **PRIVACY**)

- Rape crisis centers, records, defense attorney availability, conditions prescribed: Sub SB 3958
- Sexual assault victims, counselors, communications, crime prosecution, not admissible, conditions prescribed: SB 3958

CONGRESS (See also **MEMORIALS**)

- Redistricting, districts specified: Sub HB 787
- Salmon enhancement activities, congressional appropriations requested: SJM 114
- Salmon enhancement activities, support program, fisheries department, development requested: SCR 125

CONNOR, FORMER SENATOR FRANK

- Announcement of his death, April 14, 1982 2641

CONSERVATION (See also **ENERGY CONSERVATION; NATURAL RESOURCES, DEPARTMENT OF**)

- Salmon enhancement activities, congressional appropriations requested: SJM 114
- Salmon enhancement activities, support program, fisheries department, development requested: SCR 125

CONSOLIDATION

- Cities, towns, annexation, population certification authority, transferred from planning, community affairs agency: SB 3647
- Special purpose districts, revisions: *HB 1145, CH 17 E1 (1982)

CONSTITUTIONAL AMENDMENTS

- Associated student body program funds, scholarship, charitable purposes, use authorized, funds defined: SJR 137
- Budget, balanced, each biennium, state duty: Sub HJR 13
- Budget, federal, balanced, constitutional amendment, petitioned: HJM 1
- Budget, federal, balanced, constitutional convention, petitioned: HJM 1, SJM 105
- Budget stabilization account, establishment directed, appropriations, fiscal emergencies, retirement systems assets, revenues, biennium credit: Sub HJR 13
- Census, state, constitutional requirement removed, obsolete terms updated: SJR 141
- Constitution, obsolete provisions, removed: SJR 142
- Current use valuation, lands with water dependent uses, authorized: SJR 144
- Current use valuation, lands with water dependent uses, designated wetland, shoreland areas, constitutional contingency: SB 4762
- Energy conservation, renewable energy sources, loans, state, local governments, authorized: SJR 111, Sub SJR 111, 2nd Sub SJR 111
- Executive branch, reorganization facilitation: SJR 139, Sub SJR 139
- Governor, legislative bills passed, action required: SJR 145
- Indebtedness, public improvements, payment means provided: SJR 143, *Sub SJR 143 E1 (1982)
- Indebtedness, public improvements, payment means provided, hearings requirements, eminent domain, potential use, public information: Sub SJR 143
- Justice courts, unlawful detainer actions, concurrent original jurisdiction: SJR 140

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

CONSTITUTIONAL AMENDMENTS—cont.

- Law practice, legislature definition authorized: SJR 147
- Redistricting commission, establishment: Sub SJR 108, SJR 119, SJR 136
- Schools, bond elections, certain, forty percent validation requirement removed, constitutional contingency: HB 997
- Schools, excess levy elections, forty percent validation requirement removed: HJR 20
- Superintendent of public instruction, appointment by, serve at pleasure of governor: SJR 135
- Tax revenues, state, growth restriction: SJR 113, Sub SJR 113

CONSTITUTIONAL CONVENTION

- Budget, federal, balanced, constitutional amendment, petitioned: HJM 1
- Budget, federal, balanced, petitioned: HJM 1, SJM 105
- Budget, federal, balanced, petitioned, referendum provision: SJM 105
- Call, federal balanced budget purposes: HJM 1

CONSTRUCTION AND CONSTRUCTION INDUSTRY (See also BONDS)

- Building code, state, national code references, updated: SB 4113, SB 3310
- Community redevelopment financing act: SB 4603, Sub SB 4603, *2nd Sub SB 4603, CH 42 E1 (1982)
- Construction equipment operator safety licensing act, appropriation: SB 4857
- Counties, facilities under construction, bonds, revenue, interest payment permitted: SB 3592
- Development charges, cities, towns, counties, imposition prohibited: Sub HB 312, Sub HB 1014, SB 4451, *SB 4972, CH 49 E1 (1982)
- Earth-sheltered construction, joint select committee establishment, members, purposes, report: SCR 112
- Energy conservation, renewable energy sources, loans, state, local governments, authorized: SJR 111, Sub SJR 111, 2nd Sub SJR 111
- Facilities, certain, under construction, cities, towns, counties, materials purchase, sales, use taxes exemption: SB 4821
- Federal-aid apportionments, payments in advance, as specified: SB 4469
- Highway lands, state, residential construction encouraged, zoning variances needed: SB 4568
- Home mortgages, pension funds investment, congressional support petitioned: SJM 128
- Hotel, motel, special tax receipts, municipal park facilities, other capital improvements, use authorized: SB 3318
- Investment projects, tax deferrals, certain, repayment requirements revised, exemption provisions: SB 4441
- Jails, space requirements, operating, other standards, commission review, modification directed, as specified: *Sub HB 774, CH 12 E2 (1981)
- Land dedication, permissible purposes enumerated, tax, fee provisions: Sub HB 1014, SB 4451
- Manufactured homes, regulations revised, advisory boards created: SB 4902
- Natural resources department, capital projects, appropriation: *Sub HB 1230, CH 48 E1 (1982)
- Nuclear plants, 4, 5, construction moratorium, WPPSS, imposed: SCR 108

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

CONSTRUCTION AND CONSTRUCTION INDUSTRY—cont.

- ORV moneys, use, trails, areas, construction, facilities, authorized, youth development corps, youth crews, contract consideration required: SB 3823
- Property, real, new construction, assessment rolls listing: *Sub SB 3783, CH 46 E1 (1982)
- Property tax, repealed, flat income tax authorized: SJR 138
- Psychiatric facility, acute care, bonds authorized, DSHS appropriation: SB 4752
- Public improvements, indebtedness, payment means provided: SJR 143, *Sub SJR 143 E1 (1982)
- Public improvements, indebtedness, payment means provided, hearings requirements, eminent domain, potential use, public information: Sub SJR 143
- Sales, use taxes, local, taxpayers, prepayment authorized, use provisions: Sub HB 1140, SB 4859, *Sub SB 4859, CH 211 (1982)
- School facilities, existing, energy conservation program, appropriation: Sub SB 3277
- School facilities, existing, inventory, energy efficiency, safety audit provisions: SB 3277
- Sewer lines, new, referendum 39 bond moneys, use authorized, high unemployment areas, industrial districts development priorities: SB 4877
- Sewer, water, drainage facilities, counties, private developers, construction authority: SB 3593
- State building code, joint select committee, established, members, duties, report: SCR 139
- State route 504, renamed Spirit Lake memorial highway, route description correction, DOT extension construction: *SB 4706, CH 82 (1982)
- Taxes, specified, application fees, benefit assessments, utility system connection charges, cities, counties, not prohibited: Sub HB 1014
- Thermal power plants, certain, operating agencies, joint, qualification prerequisite, legislative approval requirement: SB 3501
- Water supply facilities, referendum 38, DSHS appropriation: Sub SB 4270

CONSUL GENERAL OF IRELAND

- Honorable Thelma M. Doran, introduced, addressed senate 1579-1580

CONSUL GENERAL OF KOREA

- Honorable Moon Soo Lee, introduced, addressed senate,
Honorable Boo Yuh Park, introduced 1885

CONSUMER FINANCE COMPANIES

- Examinations, banking supervisor, fee schedule establishment conditions: HB 935, SB 4828

CONSUMER PRICE INDEX

- Fund raising events, gross wagers determination provisions: SB 4783

CONSUMER PROTECTION

- Automotive repairs, regulations revised, customers' rights, licensing, revenue departments appropriations: *HB 375, CH 62 (1982)
- Blood banks, regulations imposed, civil penalty provision, DSHS implementing rules adoption directed: SB 4583, Sub SB 4583

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

CONSUMER PROTECTION—cont.

- Camping clubs, contracts, regulations revised, licensing department appropriation:
*HB 1017, CH 69 (1982)
- Contracts, plain language consumer contracts act, enacted: SB 4853
- Funeral directors, general revisions: *Sub HB 871, CH 66 (1982)
- Mobile home landlord-tenant act, tenancy termination, without cause prohibited:
SB 4642
- Mobile home landlord-tenant act, violations: SB 4642
- Plain language consumer contracts act: SB 4853
- Toxic plants, retail sales: SB 4601

CONTAINERS

- Beverage, pull-tab, sales prohibited, violations, ecology department enforcement,
rules adoption: *Sub HB 448, CH 113 (1982)

CONTINUING EDUCATION (See also EDUCATION)

- Physical therapy board, membership increase, professional qualifications, license
suspension: SB 3332, Sub SB 3332

CONTRABAND

- Introduction, second degree, elements revised: HB 706
- Possession, crime, first, second, third degrees, defined, penalties prescribed: HB
706

**CONTRACTORS (See also LABOR AND INDUSTRIES, DEPART-
MENT OF)**

- Bonds, district courts, actions authorized, small claims department exclusion: SB
3115
- Bonds, public works projects, provisions revised: *Sub SB 4200, CH 98 (1982),
SB 4555
- Employment, definition revised, unemployment compensation purposes: HB 1033,
*Sub SB 4216, CH 18 E1 (1982)
- Farm labor, licensing provisions repealed: HB 1058, SB 4574
- Health care, agreements, certain statutory disability provisions applicability, rules
promulgation, noncompliance disapproval: SB 3346
- Health care, agreements, certain statutory disability provisions applicability, rules
promulgation, noncompliance disapproval, HMO nonapplicability: Sub HB
891, Sub SB 3346
- Public works, contracts, over \$20,000, completion, revenue department notifica-
tion required: *Sub HB 931, CH 170 (1982)
- Public works, prevailing wages, posting requirements: SB 4501, *Sub SB 4501,
CH 130 (1982)
- Public works, reserved funds, requirements revised: *Sub HB 931, CH 170
(1982)
- Registration, manufactured home, factory-built structures, commercial coach,
inclusion, as specified: Sub SB 4631
- Registration, regulations revised: SB 4631, Sub SB 4631
- Unemployment compensation, hairdressers, barbers, independent, law exclusion:
*Sub SB 4216, CH 18 E1 (1982)
- Work permits, L&I rules establishment directed, law administration, user fees
established: HB 795

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

- CONTRACTS** (See also **INSURANCE AND INSURANCE COMMISSIONER; HEALTH CARE SERVICES AND PROVIDERS; PERSONAL SERVICE CONTRACTS; PUBLIC WORKS**)
- Agencies, state, maintenance, operation, private sector contracts, permitted, financial savings provision: SB 3407
- Agricultural cooperative associations, foreign, marketing contract requirements: SB 4830, Sub SB 4830, *Sub HB 1041, CH 45 (1982)
- Bids, competitive, requirements violations, public officials, penalties modified: SB 4758
- Camping clubs, regulations revised, licensing department appropriation: *HB 1017, CH 69 (1982)
- Community colleges, courses, offered on contract basis, enrollments, costs, certain, discounted, as specified: SB 3926
- Fire insurance policies, high risk areas, anti-arson applications, cancellation requirements: *SB 3297, CH 110 (1982)
- Forest products industry employment recovery act: SB 4711
- Forest products recovery act, St Helens damaged timber excluded: *Sub SB 4663, CH 222 (1982)
- Health studios, services regulated: SB 4721
- Hospitalization insurance, home health services, coverage inclusion required: SB 4445
- Interest rates, retail transactions, loans, forbearances, etc, limitations specified: Sub SB 4536
- Irrigation districts, works construction projects, federal, state contracts, proportional property repayment liability: HB 198
- Joint operating agencies, materials, equipment, supplies, work procurement, requirements revised: Sub HB 1053, *SB 4995, CH 44 E1 (1982)
- Local government, purchasing, awarding, local excise tax revenues consideration authorized: HB 1231
- Mobile homes, sales, both spouses, participation: SB 3100
- Municipalities, municipal officers, permissible limits increased: SB 4570
- Plain language consumer contracts act: SB 4853
- Real estate, time-sharing regulated: SB 3775
- Real estate, time-sharing regulated, licensing department appropriation: Sub SB 3775, 2nd Sub SB 3775
- Rent, taxable, definition modified: SB 4389
- Rent, taxable, leasehold excise tax, insurance expenditure, definition exclusion: SB 4467
- Revenue department, auditing services, out-of-state contracts permitted: SB 4392, SB 4605, *Sub SB 4605, CH 128 (1982)
- School districts, student transportation, apportionment, distribution provisions implemented: *Sub SB 4675, CH 24 E1 (1982)
- School districts, student transportation, five-year contracts authorized: SB 4650, *Sub HB 849, CH 191 (1982)
- SEIB, multiple carriers, contracts allowed, insurance surveys frequency changed: *HB 736, CH 34 E1 (1982)
- Social and health services financial responsibility act, enacted, recipients, responsible persons, conditions: Sub HB 759

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

CONTRACTS—cont.

- Specified disease insurance policy return requirement: *Sub HB 902, CH 181 (1982)
- Timber, existing, as specified, extension provisions, interest rate set, St Helens damaged timber excluded: Sub SB 4663, SB 4945
- Timber, existing sales, as specified, extension permitted: SB 4788
- Timber, forest products industry employment recovery act: SB 4711
- Timber, sales procedures, modifications, DNR, directed: *HCR 42 (1982)

CONTRIBUTIONS

- IRA's, public employees, payroll deductions authorized: SB 4697, *Sub SB 4697, CH 107 (1982)
- Legislators, acceptance during legislative session, prohibited, exemption provision: Sub SB 3844
- Political committees, continuing, contributions, public disclosure reports: *Sub SB 3249, CH 147 (1982)
- Political deductions, public employees, certain, prohibited: SB 4698
- Reports, public disclosure, amount without individual identification, increased: *Sub SB 3249, CH 147 (1982)

CONTROLLED SUBSTANCES (See also CRIMES AND CRIMINAL PROCEDURES; DRUG PARAPHERNALIA)

- Conveyances, forfeiture, exclusion, seizure, seizure order, forfeiture allowed: *Sub HB 15, CH 171 (1982)
- Counseling services, volunteer offenders, drug-related and violent crimes, corrections department, jail commission development: SB 4953
- Counties, alcoholism, drug abuse programs, provisions modified: SB 4643, *HB 410, CH 193 (1982)
- Drug trafficking enforcement: 2nd Sub HB 603
- Drunk drivers, mandatory 24-hour imprisonment, probation, diagnostic evaluation, treatment, second conviction provisions: SB 4819, Sub SB 4819, *HB 600, CH 47 E1 (1982)
- Forfeiture, expenses, excess moneys, deposit directed, cities, counties, criminal justice training account: *Sub HB 15, CH 171 (1982)
- Habitual criminal status, redefined: HB 569
- Health curriculum, 7th, 8th grades, effects, course requirements: SB 3724
- Imitation, defined, crimes, penalties specified, exempted uses stated: Sub HB 820, *Sub HB 15, CH 171 (1982)
- Insurance, group health, disability, HMO, drug dependency services inclusion: SB 4942
- Pharmacy board, diversion investigation unit, appropriation: 2nd Sub HB 603
- Property, specified, acquisition use, forfeiture requirement, use without owner's consent, knowledge, forfeiture prohibited: *Sub HB 15, CH 171 (1982)

CONVENTIONS AND CONFERENCES (See also CONSTITUTIONAL CONVENTIONS)

- Convention and trade center, council created, members, study, Seattle location, recommendations requirements: SCR 116
- Convention and trade facilities, state, local authorized, financing provisions: *Sub HB 1015, CH 34 (1982)

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) . . . Passed during 1981 Second Special Session.
- E1 (1982) . . . Passed during 1982 First Special Session.
- E2 (1982) . . . Passed during 1982 Second Special Session.

CONVENTIONS AND CONFERENCES—cont.

Cultural arts, stadium, and convention districts, establishment permitted, powers, duties, taxing authority: *Sub HB 1156, CH 22 E1 (1982)

CONVEYANCES

Controlled substance, forfeiture, exclusion, seizure, seizure order, forfeiture allowed: *Sub HB 15, CH 171 (1982)

Homestead, husband, wife acknowledgment provision repealed: SB 4798

Real estate, state, general administration department, director, authority defined, exempt agencies specified: *Sub HB 810, CH 41 (1982)

Shoreline management, substantial development, permits, granting revised: SB 4618

COOLEY, JEAN

Member, board of trustees, Everett community college

district 5, GA 532, confirmed 19,476,867

COOPERATIVES

Agricultural cooperative associations, foreign, marketing contract requirements: SB 4830, Sub SB 4830, *Sub HB 1041, CH 45 (1982)

Associations, members, voting provisions implemented: Sub SB 3380

Associations, reorganization procedures: Sub SB 3380

CORPORATIONS (See also PROFESSIONAL SERVICE CORPORATIONS)

Convention and trade center, nonprofit corporation management, bond issuance, lodging excise tax, appropriation: *Sub HB 1015, CH 34 (1982)

Insurers, domestic, investments, assets, provisions implemented: *SB 4569, CH 218 (1982)

Small business equity corporation act: SB 4876

Small business investment act: SB 4874

Trade names, registration required, conditions specified, fees, licensing department director rules adoption, appropriation: SB 4528

CORPS OF ENGINEERS

Senator Guess presiding during ceremony honoring 1912

CORRECTIONS (See also CORRECTIONS, DEPARTMENT OF; JAILS; JUVENILES; McNEIL ISLAND CORRECTIONAL FACILITY AND McNEIL ISLAND SOCIAL AND HEALTH SERVICES, DEPARTMENT OF)

Institutions, prisoners, sentenced from other jurisdictions, confinement, as defined: HB 968, SB 4784

Institutions, riots, disturbances, plans, assistance: *Sub HB 965, CH 49 (1982), SB 4778

Interstate corrections compacts, participation authorized: SB 4780

Parole, probation services, costs, release, reasonable payments required, conditions prescribed: HB 768

Prison overcrowding emergency relief procedures, prescribed: SB 4958

Prison overcrowding reform act: SB 4577, *Sub HB 922, CH 228 (1982)

Prisoners, transferred outside state, personal security purposes, notice of transfer requirement exemption: SB 3424

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

CORRECTIONS—cont.

Prisons, work programs, more physical, DSHS, immediate development, implementation directed: SCR 104

CORRECTIONS, DEPARTMENT OF (See also McNEIL ISLAND CORRECTIONAL FACILITY AND McNEIL ISLAND)

Allotments, modification allowed, OFM prior approval requirement, ways and means committees consultation, sec 38: Sub SB 4264, *Sub SB 4369, CH 50 E1 (1982)

Escapees, arrest warrants, issuance authorized, detention pending extradition authorization: HB 970, SB 4779

Facilities, bond issuance authorized: *Sub HB 808, CH 23 E1 (1982)

Facilities, long-range plans, prison design, community programs, standards, court decisions, inmate population, LBC analysis: *Sub HB 808, CH 23 E1 (1982)

Furloughs, inmates, maximum period, medical furloughs excluded: HB 966, SB 4777

Inmates, labor, state facilities, maintenance work, corrections, GA departments, legislative report required: HB 768

Inmates, leaves of absence authorized: HB 967, SB 4785

Inmates, tobacco products, not provided, unless earned, sec 42 (vetoed): Sub HB 811

Interstate corrections compacts, participation authorized: SB 4780

Offenders, volunteer counseling services provisions: SB 4953

Parole, probation services, costs, release, monthly payments required, conditions prescribed, appropriation: *HB 768, CH 207 (1982)

Prison riots, disturbances, plans, assistance: SB 4778, *Sub HB 965, CH 49 (1982)

Prison work programs, more physical, immediate development, implementation directed: SCR 104

Prisoners, released, paroled, sufficient funds, determination provisions modified: SB 4782

Prisoners, sentenced from other jurisdictions, confinement, correctional institutions, as defined: HB 968, SB 4784

Prisoners, transferred outside state, personal security purposes, notice of transfer requirement exemption: SB 3424

Reed, Amos E, secretary: GA 486, confirmed 7,429,888

Volunteer counseling services, offenders, drug-related and violent crimes, development, jail commission involvement, conditions specified: SB 4953

500-bed medium security correction center, design, site provisions, GA department report, appropriation: *Sub HB 808, CH 23 E1 (1982)

CORRECTIONS STANDARDS BOARD

Angier, Keith A, member: GA 487, confirmed 8,530,888

Beauchamp, Henry, member: GA 556, confirmed 388,531,882

Chamberlain, Norman F, member: GA 488, confirmed 20,447,877

Eikenberry, Ken, member: GA 489, confirmed 8,530,865

Erickson, Larry V, member: GA 490, confirmed 8,530,865

Maxwell, Roger F, member: GA 491, confirmed 9,530,865

McEachran, David S, member: GA 492, confirmed 9,530,866

Melior, Elaine Garvie, member: GA 493, confirmed 9,929,1006

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

CORRECTIONS STANDARDS BOARD—cont.

Rahm, Karen, member: GA 494, confirmed 9,531,866

COSMETOLOGY (See also BARBERS)

Regulations revised, practice redefined, licensing director duties: *2nd Sub HB 378, CH 225 (1982)

Unemployment compensation provisions, hairdressers, barbers, independent contractors, exclusion: *Sub SB 4216, CH 18 E1 (1982)

COUNCILS

Aging advisory, state, created: SB 3087, Sub SB 3087

Archaeology and historic preservation advisory, sunset act inclusion: HB 960, SB 4565

Child abuse and neglect, established, governor appropriation: *3rd Sub HB 179, CH 4 (1982)

Cities, counties, members, commissioners, urban arterial board membership permitted: *Sub HB 452, CH 209 (1982)

Commerce and economic development department, economic advisory, abolished: SB 4633, *Sub HB 762, CH 163 (1982)

Convention and trade center, created, members, study, Seattle location, recommendations requirements: SCR 116

Energy facility site evaluation, powers, duties, membership, fees, intervenors, revisions: SB 4508

Hearing aid advisory, abolished, functions transferred, licensing department: Sub HB 778

Hearing aid, members, public representation required: Sub HB 1150

Salmon release–recapture advisory, created: SB 4612

State building code advisory, abolished: SB 4653

Tax advisory, membership, duties, revised, expenditure payment provision repealed: *SB 4992, CH 41 E1 (1982)

Voluntary action, created, center for voluntary action act, planning and community affairs agency appropriation: SB 4621, Sub SB 4621, *Sub HB 923, CH 11 E1 (1982)

COUNTIES (See also various county officers; names of counties; BIDS;

BONDS; ENVIRONMENTAL IMPACT STATEMENTS;

JAILS; PUBLIC WORKS; ROADS; SUBDIVISIONS; TAXES –

SALES AND USE; VETERANS AND VETERANS AFFAIRS)

Administrative inspections, warrants, issuance, execution, uniform procedure established: SB 4494, Sub SB 4494

Alcoholism, drug abuse programs, provisions modified: SB 4643, *HB 410, CH 193 (1982)

Appearance of fairness doctrine, applicability limited: SB 4741, *Sub HB 1011, CH 229 (1982)

Bail, persons charged, misdemeanors, gross misdemeanors, assessment, certain, included in bail deposit required, refund upon acquittal: SB 3301

Ballot matters, certain, exemption provisions: Sub HB 957

Bicycles, regulations, facilities: SB 4460, *Sub SB 4460, CH 55 (1982)

Building code, state, amendment prohibitions specified: SB 4653

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

COUNTIES—cont.

- Building permits, issuers, agencies, property, diminished value, altered drainage, liability specified: SB 4916
- Card games, social, tax imposed: SB 3379
- Cities, towns, consolidation, annexation, population certification authority, transferred from planning, community affairs agency: SB 3647
- Civil service commissions, regular meeting times, determination authority: SB 4860
- Codes, filing, one copy requirement, additional copies, library, city offices, if considered necessary by county authority: *Sub HB 58, CH 226 (1982)
- Community economic revitalization board, created: SB 4622, *2nd Sub HB 906, CH 40 E1 (1982)
- Community mental health program, annual plan of proposed expenditures, DSHS submission requirement removed: SB 4646
- Community mental health services act, revised: SB 4786, SB 4787, *Sub SB 4786, CH 204 (1982)
- Community redevelopment financing act: SB 4603, Sub SB 4603, *2nd Sub SB 4603, CH 42 E1 (1982)
- Construction, reconstruction, subdivision development, local taxation prohibited: Sub HB 312, Sub HB 1014, SB 4451, *SB 4972, CH 49 E1 (1982)
- Contracts, competitive bid requirements violations, penalties modified: SB 4758
- County mitigation account, created, geothermal energy exploration, development, mitigation disbursement prescribed: SB 3779
- Court congestion reduction act: Sub SB 3110
- Crime victim compensation fund, funds allocation, nonprofit agencies, funds availability, local supplemental funding, intent: SB 3301
- Crime victims assistance fund, created, L&I administration: SB 3301
- Cultural arts, stadium, and convention districts, establishment permitted, powers, duties, taxing authority: *Sub HB 1156, CH 22 E1 (1982)
- Debts, public, collection agencies, use permitted: SB 4476, *HB 844, CH 65 (1982)
- Development charges, prohibited: Sub HB 312, Sub HB 1014, SB 4451, *SB 4972, CH 49 E1 (1982)
- Elections, legal notices, requirements revised: SB 4589
- Engineers, road, expenditure records, requirements revised: SB 4690
- Environmental coordination procedures act, permit processing, ecology department inclusion: Sub HB 634
- Environmental coordination procedures act, permits, approval, time limits set: *HB 859, CH 179 (1982)
- Fire marshal, authorized representative, fires, unincorporated areas, or cities as defined, investigation, police powers granted: Sub SB 3366
- Fire protection districts, contiguous property subject to leasehold excise tax, annexation authorized: Sub SB 3512
- Fire protection districts, funding from optional taxes, consideration directed: *SB 4972, CH 49 E1 (1982)
- Fire protection districts, leasehold excise tax distribution: SB 3512
- Fireworks, permit fees establishment authorized: *Sub HB 1149, CH 230 (1982)
- Forest practices, licenses, certain, local government, EIS responsibility, termination date established: Sub SB 3725

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

COUNTIES—cont.

- Funds, investment with state funds, authorized, local government investment board created, state treasurer appropriation: SB 4743
- Gambling activities, tax rate imposed certain incorporated areas, provision deleted: SB 4576
- Game lands, county relinquishment, fines, payments received, in lieu of real estate taxes, provisions repealed: SB 3930
- Geothermal account, created: Sub SB 3779
- Guilty pleas, convictions, assessment to be levied, prescribed: SB 3301
- Hazardous materials, incidents: *HB 883, CH 172 (1982)
- Health departments, combined city and county, personnel system separate from city or county personnel or civil service systems permitted: *SB 4354, CH 203 (1982)
- Heating systems, authorized: Sub SB 3033, 2nd Sub SB 3033
- Hospitals, purchasing provisions exemptions: Sub HB 957
- Hotel, motel, special tax receipts, municipal park facilities, other capital improvements, use authorized: SB 3318
- Investments, county local government investment pool fund, establishment authorized: SB 4743
- Island library districts, authorized: *HB 999, CH 123 (1982)
- Land dedication, permissible purposes enumerated, tax, fee provisions: Sub HB 1014, SB 4451
- Land, division, preliminary plats, three-year approval period, retroactive applicability: Sub HB 1134
- Land, division, time extensions, certain, plat approval procedures, local ordinance adoption authority: Sub HB 1134
- Leasehold excise tax account, distribution limitation: *Sub HB 773, CH 4 E2 (1981)
- Local government master program adjustments, review provisions, as specified, APA exemption, as specified: Sub HB 1098
- Manufactured housing advisory task force, appropriation: Sub SB 3308
- Manufactured housing sites, adequate, cities, towns, policy declared: Sub SB 3308
- Motor vehicle excise tax, local, authorized rate increased, public transportation support: SB 4868
- Motor vehicle funds, distribution formula adjusted: *SB 4713, CH 33 (1982)
- Motor vehicles, owners' lists, licensing department, availability: *SB 4544, CH 215 (1982)
- Neighborhood assistance act: SB 4915
- Nonhigh districts, high school accounts abolished, funds distribution: SB 3449
- Olympic, established, formed from parts of Clallam and Jefferson counties: SB 4854, Sub SB 4854
- Pistol regulations, local control preempted, regulations prescribed, vote of the people required: SB 4923
- Planning agencies, hearings, notice requirements revised: Sub HB 1007, SB 4776, Sub SB 4776
- Posttraumatic stress disorder training, community mental health professionals, DSHS appropriation: HB 470
- Prisoners, fine reduction rate, establishment permitted: SB 3301

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

COUNTIES—cont.

- Property interests, relief from governmental acts: SB 4766, *Sub HB 1006, CH 232 (1982)
- Public disclosure, reports, suspension, cost-savings measure, certain small jurisdictions, provisions: SB 4554
- Public disclosure, small jurisdictions: *Sub HB 40, CH 60 (1982)
- Public facilities, certain, under construction, materials purchase, sales, use taxes exemption: SB 4821
- Public guardian, position creation authorized, conditions specified: SB 4740
- Public improvements, indebtedness, payment means provided: SJR 143, *Sub SJR 143 E1 (1982)
- Public improvements, indebtedness, payment means provided, hearings requirements, eminent domain, potential use, public information: Sub SJR 143
- Public lands clam management account, established, appropriation: Sub SB 3442
- Public service companies, fees, licenses, prohibitions specified, temporary continuation provision: *SB 4972, CH 49 E1 (1982)
- Public transportation, motor vehicle excise tax distribution repealed: SB 4656
- Purchase contracts, awarding, local excise tax revenues consideration authorized: HB 1231
- Purchasing departments, A, AA counties, establishment directed, other counties, establishment permitted: Sub HB 957
- Real property, sales, excise tax provisions: *SB 4972, CH 49 E1 (1982)
- Records, public, preservation, destruction, provisions modified: *HB 357, CH 36 (1982)
- Salaries, employees, officials, higher than governor's, prohibited: SB 4615
- Self-insurers, real, personal property loss, damage, losses resulting from such loss, insurance coverage permitted: SB 4765
- Sewer, water districts, boundaries, powers revisions, mergers, preexisting mergers authorized, bonding authority, double taxation prevention: Sub SB 3534
- Sewer, water, drainage facilities, construction, private developers, authority granted: SB 3593
- Shoreline management, substantial development, permits, granting revised: SB 4618
- Short-term obligations, issuance authorized, existing bonds, interest provision: SB 4728, *Sub SB 4728, CH 216 (1982)
- Small counties, public disclosure exemption: Sub HB 40
- Solid waste disposal districts, establishment authorized, tax levy, bond issuance: *Sub HB 221, CH 175 (1982)
- Special purpose districts, formation, annexation, consolidation, merger, multi-county, revisions specified: *HB 1145, CH 17 E1 (1982)
- St Helens, eruption, recovery operations, cooperation provision: SB 4510, *Sub SB 4510, CH 7 (1982)
- Substantial development permits, ECPA permit definition exclusion: Sub HB 634
- Tax increment obligations, authorized, conditions prescribed, constitutional contingency: SB 4119, Sub SB 4119
- Tax powers prescribed: *SB 4972, CH 49 E1 (1982)
- Taxes, specified, application fees, benefit assessments, utility system connection charges, not prohibited: Sub HB 1014

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

COUNTIES—cont.

- Traffic infractions, parking, notices, response failure, penalty imposition allowed:
*SB 4492, CH 12 E1 (1982)
- Unincorporated areas, businesses, occupations, trades, licensing authorized, conditions prescribed: SB 4421
- Utility local improvement districts, creation: Sub SB 4271
- Vacation leave, unused, accrued, termination of employment, payment prohibited, LEOFF exemption, accumulated use provision: *Sub SB 5007, CH 51 E1 (1982)
- Volcanic silt, dredge spoils deposit, land acquisition, as specified, moneys distribution, county application, DNR, authority, renewal: SB 4381
- Waste disposal facilities, referendum 39, state, local improvements revolving accounts appropriations increased: *Sub HB 1230, CH 48 E1 (1982)
- Water supply facilities, referendum 38, DSHS appropriation: Sub SB 4270
- Water supply, PUD's service, governmental, private entities, adequate stream, river flow maintenance, property tax levy, voter proposition, authority: SB 3581
- Work release facilities, location, zoning laws applicability: *Sub HB 1230, CH 48 E1 (1982)

COUNTY ASSESSORS (See also TAXES – PROPERTY; TAXES – TIMBER EXCISE)

- Agricultural land, as specified, open space inclusion: Sub SB 3522
- Appeals, assessor, revenue department, hearing pursuant, administrative procedure act, requirement: Sub HB 612
- Construction, new, assessment rolls listing: *Sub SB 3783, CH 46 E1 (1982)
- Forest land, lesser acreage, current use valuation authorized: Sub HB 1
- Game lands, county relinquishment, fines, payments received, in lieu of real estate taxes, provisions repealed: SB 3930
- Historic property, review boards, state, local, responsibilities: Sub SB 3025, 2nd Sub SB 3025
- Indicated ratios, submission, appeals, procedures review, adjustments: Sub HB 612, *Sub SB 3783, CH 46 E1 (1982)
- Land, current use classification removal, additional property tax, interest rate specified: SB 4617, Sub SB 4617
- Property, assessments, current use required, potential use not to be considered: SB 4816
- Property, real, valuation, appropriate statistical data: *Sub SB 3783, CH 46 E1 (1982)
- Reforestation lands, declassified, requirements: SB 4487
- Revaluation, physical inspection schedule, conditions prescribed: SB 3783, *Sub SB 3783, CH 46 E1 (1982)
- Taxable property, examination, assessment, valuation purposes: Sub HB 612, *Sub SB 3783, CH 46 E1 (1982)
- Taxing districts, tax increment obligations, authorized, conditions prescribed, constitutional contingency: SB 4119, Sub SB 4119
- 106% limit, determination provisions modified: Sub HB 17

COUNTY AUDITORS

- Absentee ballots, use restrictions specified: SB 4845

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

COUNTY AUDITORS—cont.

- Candidates, indigent, filing: SB 4472, Sub SB 4472
- Candidates, municipal office, declaration of candidacy filing, city, town clerk, delivery to county auditor requirement: HB 439
- Candidatation, residence defined, registration purposes: SB 4921
- Candidates, simultaneous candidacy, incompatible offices, not allowed: SB 4624
- Deceased persons, over 18, list requirements, voter registration cancellation purposes: Sub HB 148
- Elections, costs, state officers, measures on ballot, prorated share, state assumption: SB 3932
- Elections, legal notices, requirements revised: SB 4589
- Fee book, copy, statement, submission to county clerk, requirement deleted: SB 4774
- Irrigation districts, withdrawal, certain owners: SB 4136, Sub SB 4136
- Legislative district, 35, boundaries clarified: *HB 775, CH 5 E2 (1981)
- Marriage, license applications, waiting period reduced: SB 4834
- Motor vehicle use tax, collection fee: SB 3044, Sub SB 3044
- Precincts, size, boundary, polling place provisions: SB 4959
- Public disclosure reports, suspension, cost-savings measure, certain small jurisdictions, provisions: SB 4554
- Recall elections, petition requirements revised: SB 4589
- Surveys, public land, official plats, certified copies, recording, DNR appropriation: HB 641
- Voter registration, technical changes: SB 3257, Sub SB 3257

COUNTY CLERKS

- Civil actions, jury trial demand, filing fee increased, conditions specified: SB 4774
- Judgments, satisfaction requirements revised: SB 4744

COUNTY COMMISSIONERS AND COUNCIL PERSONS -**COUNTY LEGISLATIVE AUTHORITIES**

- Bonds, general obligation, call for bid notice, publication requirement revised: Sub SB 4271
- Court congestion reduction act: Sub SB 3110
- Hospitals, trustees boards, certain, commissioner district provision removed: HB 1173
- Island counties, as specified, unequal commissioner districts allowed: HB 1180, *Sub HB 58, CH 226 (1982)
- Justices of the peace, part time, salaries increased, conversion to full time, authority granted: *Sub HB 751, CH 29 (1982)
- Purchasing departments, A, AA counties, establishment directed, other counties, establishment permitted: Sub HB 957
- Road districts, consolidated improvement, establishment, bond issuance purpose: Sub SB 4271
- Sewer, water districts, general comprehensive plans, responsibilities: SB 4481, *Sub SB 4481, CH 213 (1982)
- Urban arterial board, county executive, council members, commissioners, membership permitted: *Sub HB 452, CH 209 (1982)
- Utility local improvement districts, creation, storm water control facility benefits, conditions prescribed: Sub SB 4271

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

COUNTY CORONERS

- Autopsies, sudden death, as specified, mandatory requirement: Sub HB 1069
- Coroner qualifications, joint select committee established, members, duties, report: SCR 132
- Medical examiner system, state, established, conditions specified: SB 4991

COUNTY PROSECUTING ATTORNEYS

- Criminally insane, conditional release, local confinement pending placement: *HB 381, CH 112 (1982)
- Habitual criminal status, redefined: HB 569
- Juveniles, bail forfeiture program authorized, conditions specified: SB 4444
- Juveniles, diversion agreements, violations, immediate referral required: SB 4733
- Medical examiner system, state, established, conditions specified: SB 4991
- Political advertising, violations, admitted, promises no further violation, revision, prosecutor, failure to act, injunction proceedings: HB 472
- Pornography, moral nuisances, defined, enforcement authority: *Sub HB 626, CH 184 (1982)
- Rape crisis centers, records, defense attorney availability: Sub SB 3958
- Sexual abuse, children, commencement of prosecution, five year limitation established: HB 682
- Sexual assault victims, counselors, communications, crime prosecution, not admissible, conditions prescribed: SB 3958

COUNTY SHERIFFS AND PUBLIC SAFETY DIRECTORS

- Civil service commission, investigation, hearings: *SB 4680, CH 133 (1982)
- Civil service commissions, regular meeting times, authority: SB 4860
- Deed conveyance tax, exempted transactions stated: SB 4038
- Defendant, civil actions, not to be found in county, prima facie evidence, not to be found in state, provision deleted: SB 3715
- Escapees, arrest warrants, issuance authorized, detention pending extradition authorized: HB 970, SB 4779
- Salmon harvesters commission, creation: Sub SB 3204
- Uniform crime reports program, criminal justice training commission appropriation, future appropriations requirement: *Sub HB 1130, CH 125 (1982)

COUNTY TREASURERS

- ESD's abolished, duties transferred, SPI, property, library, transportation provisions: SB 4731
- ESD's, funds, deposit, special purpose funds, county treasurer: HB 188, SB 3242
- Federal forest revolving fund, created, SPI, county treasurer, distribution provisions: SB 4480, Sub SB 4480
- Federal forest revolving fund, created, SPI distribution provision: *Sub HB 868, CH 126 (1982)
- Funds, investment with state funds, authorized, local government investment board created, state treasurer appropriation: SB 4743
- Investment service, minimum charge deleted: SB 4505, Sub SB 4505
- Investment service, minimum charge deleted, \$5 or less fee, waiver allowed: *Sub SB 4505, CH 73 (1982)
- Investments, county local government investment pool fund, establishment authorized: SB 4743

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

COUNTY TREASURERS—cont.

- Irrigation districts, delinquency list transmittal provisions: *Sub SB 4852, CH 102 (1982)
- Juveniles, offenses, monetary penalties, insurance, industrial insurance purchase: SB 4733
- Metropolitan park districts, duties transferred to city treasurers, conditions specified: Sub HB 709
- Nonhigh districts, high school accounts, certain, abolished, funds distribution: SB 3449
- Property tax, discount, April 30 payment in full, 1982 taxes and thereafter (vetoed): Sub SB 3398
- Property tax, exempt real property transferred, private ownership, quarterly collection schedule, penalty requirements: SB 4428
- Property tax, real, personal, under \$10, annual payment requirement: SB 4428
- Sales, use taxes, local, taxpayers, prepayment authorized, use provisions: Sub HB 1140, SB 4859, *Sub SB 4859, CH 211 (1982)
- School districts, pupil transportation vehicles, bonds, issuance authorized, conditions specified, school boards, county treasurers duties: Sub HB 869
- Taxes, quarterly installments, payment required, penalty provision: SB 4428
- 106% limit, determination provisions modified: Sub HB 17

COUPONS

- Issuance, poultry, milk, milk products sales, prohibition removed: SB 4742
- Newspapers, other publications, distribution, trading stamp license exemptions: SB 4742
- Products, distribution, redemption responsibility stated, prohibition removed: SB 4742

COURT OF APPEALS

- Court congestion reduction act: Sub SB 3110
- Fees, allowable costs, increased: Sub SB 3110
- Fees, attorneys, prevailing party, increased: Sub SB 3110
- Judges, supreme court service as judges pro tempore, permitted: *SB 4491, CH 72 (1982)

COURTS

- Arbitration applications, jurisdiction, district, superior courts: *HB 897, CH 122 (1982)
- Attorneys, fees, payment excused, certain circumstances: SB 3114
- Child abuse, redefined, shelter care requirements, detention provisions: Sub HB 1048, *Sub SB 4461, CH 129 (1982)
- Children, joint custody, conditions prescribed: Sub HB 905, SB 3246, Sub SB 3246, SB 4509
- Civil actions, damages, agreements, plaintiffs, defendants, court disclosure required: SB 4678
- Civil actions, defendant, not to be found in county, prima facie evidence, not to be found in state, provision deleted: SB 3715
- Court congestion account, created, congestion reduction act: Sub SB 3110
- Court congestion task force, established, members, duties, reimbursement, report submission: *HB 864, CH 187 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

COURTS—cont.

- Dependent persons, adult, abuse, report procedures: Sub SB 3582
- Habitual criminal status, redefined: HB 569
- Insanity, reason for felony acquittal, considered dangerous, hospitalization, appropriate alternative treatment, court must order: HB 494
- Judgments, homestead, enforcement: SB 3459, Sub SB 3459
- Judgments, interest rate increased: SB 4543, *HB 916, CH 198 (1982)
- Justice, jurisdiction, fines, imprisonment, increased: *SB 4493, CH 150 (1982)
- Justice, unlawful detainer actions, concurrent original jurisdiction: SJR 140
- Juveniles, confinement, private-not-for-profit group homes, conditions specified: Sub HB 870
- Juveniles, disposition standards, adopted: SCR 105
- Juveniles, offenses, traffic infractions, court costs provision: SB 4733
- Malicious prosecution, grounds revised, damages, attorneys fees: HB 563
- Minors, under 14, employment, judicial permission requirement repealed: HB 1058, SB 4575
- Police, appeals from, sentencing, superior court limitation: SB 3069
- Police, appeals from, sentencing, supreme court rule, trail de novo provision: SB 3069
- Police, city, appellate procedures revised: SB 4489
- Rape crisis centers, records, defense attorney availability: Sub SB 3958
- Recall, supreme court, duties clarified: SB 4587
- SEPA, actions, bond required, plaintiffs, court requirement: SB 4386
- Sexual abuse, children, actions, time limits, rules of evidence modified: SB 4461, *Sub SB 4461, CH 129 (1982)
- Sexual abuse, children, commencement of prosecution, five-year limitation established: HB 682
- Sexual assault victims, counselors, communications, crime prosecution, not admissible, conditions prescribed: SB 3958
- Social and health services financial responsibility act: Sub HB 759
- Unlawful detainer actions, justice courts, concurrent original jurisdiction: SJR 140

COURTS OF LIMITED JURISDICTION

- Discovery rules, supreme court, adoption requirement: Sub SB 3110
- Judges, primary candidates, name with largest vote, on general election ballot: SB 4659

COWEEMAN RIVER

- Dredge spoil site, acquisition, DOT appropriation: SB 4510, *Sub SB 4510, CH 7 (1982)
- Milwaukee railroad, right-of-way, acquisition, unexpended funds, use, dredge spoil sites, Cowlitz, Coweeman, Toutle rivers, purchase authority, sec 110: *Sub HB 811, CH 14 E2 (1981)

COWLITZ RIVER

- Accreted land, adjacent landowner: Sub SB 3824
- Dredge spoil site, acquisition, DOT appropriation: SB 4510, *Sub SB 4510, CH 7 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

COWLITZ RIVER—cont.

Milwaukee railroad, right-of-way, acquisition, unexpended funds, use, dredge spoil sites, Cowlitz, Coweeman, Toutle rivers, purchase authority, sec 110:
*Sub HB 811, CH 14 E2 (1981)

CRABS (See also FOOD FISH AND SHELLFISH)

Fishing, Puget Sound, commercial license requirement: HB 842, *SB 4464, CH 157 (1982)

CRASWELL, SENATOR ELLEN

Statement for journal, missing vote on HB 1245, would have voted "no"; HB 1247, would have voted "yes" 2664-2665
Statement for journal, regarding amendments to SHB 849 1339-1340

CREDIT CARDS (See also FINANCIAL INSTITUTIONS; SALES)

Interest rates, cards issued by financial institutions, limitations specified, fee limitation: Sub SB 4536
State, use authorized, general administration director rules adoption: *SB 4705, CH 45 E1 (1982)
Taxes, fines, fees, local, state agencies, payment, use authorized: SB 4364

CREDIT UNIONS (See also FINANCIAL INSTITUTIONS)

Board, minimum number of shares per shareholder, establishment authorized: SB 3151
Board, withdrawal procedures establishment authorized: SB 3151
Certificates of deposit, prohibition removed: SB 3151
Checking accounts, prohibition removed: SB 3151
Demand accounts, prohibition removed: SB 3151
Dividends, excess, revisions, limitation, supervisor's permission: SB 3151
Expenses, percentage limitations increased: SB 3151
Interest rate, credit, revisions: SB 3151
Interest rate, deposits, limitations revised: SB 3151
Loans, credit committee provision, certain, removed: SB 3151
Loans, members, maximum limitation revised: SB 3151
Loans, secured by real estate mortgages, contracts, provisions revised: SB 3151
Management, sole proprietors, partnerships, corporations, certain, revisions: SB 3151
Share guaranty contingency reserves, revisions: SB 4827, *HB 934, CH 67 (1982)

CRIME VICTIMS

Administrator for the courts, penalty assessments, annual report required: *2nd Sub HB 828, CH 8 E1 (1982)
Children, under 16, assault, seventy-two hour reporting requirement not applicable, benefit limitation exemption, medical examination payment, L&I appropriation: HB 151
Compensation, continuation, criminal penalty assessments, benefits specified, law enforcement agencies, victim notification requirement, L&I appropriation: 2nd Sub HB 828
Compensation, continuation, criminal penalty assessments, probation, suspended sentence conditions, L&I appropriation: *2nd Sub HB 828, CH 8 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

CRIME VICTIMS—cont.

- Compensation, continuation, L&I duties, criminal assessments, eligibility: SB 4951
- Compensation, eligible claimants, labor and industries department, appropriation: SB 4709
- Crime victim compensation fund, funds allocation, nonprofit agencies, funds availability, local supplemental funding, intent: SB 3301
- Crime victims assistance fund, created, L&I department administration, duties prescribed, funds allocation, nonprofit agencies, funds availability, local supplemental funding, intent: SB 3301
- Rape crisis centers, records, defense attorney availability, conditions prescribed: Sub SB 3958
- Restitution, criminals, required, conditions specified: SB 4600
- Sexual assault victims, counselors, communications, crime prosecution, not admissible, conditions prescribed: SB 3958

CRIMES AND CRIMINAL PROCEDURES (See also CRIME VICTIMS, DRUNK DRIVERS; JUVENILES; SENTENCES – PENAL; TRAFFIC, TRAFFIC CONTROL, TRAFFIC INFRAC-TIONS)

- Animals, cruelty, penalties: *HB 621, CH 114 (1982)
- Auctioneer's licensing act, commission established, members, license regulations, licensing department appropriation: *Sub HB 436, CH 205 (1982)
- Bail, persons charged, misdemeanors, gross misdemeanors, assessment, certain, included in bail deposit required, refund upon acquittal: SB 3301
- Campaign materials, public officials mailing at public expense, restrictions, penalties prescribed: HB 829, SB 4789, Sub SB 4789
- Campaign materials, public officials mailing at public expense, restrictions, penalties prescribed, official voter information guides exemption (vetoed): HB 829
- Camping clubs, contracts, regulations revised, licensing department appropriation: *HB 1017, CH 69 (1982)
- Checks, unlawfully issued, payment time period reduced: *SB 4366, CH 138 (1982)
- Child abuse, redefined, shelter care requirements, detention provisions: Sub HB 1048, *Sub SB 4461, CH 129 (1982)
- Children, assault, under 16, seventy-two hour reporting requirement not applicable, benefit limitation exemption, medical examination payment, L&I appropriation: HB 151
- Commission merchants, livestock dealers, payment requirements, prohibited acts: *Sub SB 4437, CH 20 (1982)
- Community service, defined: *Sub HB 874, CH 192 (1982)
- Contraband, revisions: HB 706
- Contractors, unregistered, contracting work undertaken, misdemeanor: SB 4631, Sub SB 4631
- Controlled substances, conveyances, forfeiture, exclusion, seizure, seizure order, forfeiture allowed: *Sub HB 15, CH 171 (1982)
- Controlled substances, forfeiture: *Sub HB 15, CH 171 (1982)
- Controlled substances, imitation: *Sub HB 15, CH 171 (1982), Sub HB 820

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

CRIMES AND CRIMINAL PROCEDURES—cont.

- Counseling services, volunteer offenders, drug-related and violent crimes, corrections department, jail commission development: SB 4953
- Criminal justice, advisory commission, governor's office, established, conditions specified: SB 4515
- Criminally insane, conditional release, local confinement pending placement: *HB 381, CH 112 (1982)
- Custodial interference, defined, class C felony: SB 4509, SB 4521
- Detention facility, juvenile offenders, where confined, definition inclusion: HB 706
- Drivers' licenses, occupational, regular license revoked under implied consent law, issuance permitted, as specified: Sub SB 4153
- Drivers' licenses, occupational, regular license revoked under implied consent law, issuance permitted (vetoed): HB 537
- Engineers, land surveyors, violations, board referral to prosecutors: *HB 442, CH 37 (1982)
- Escapees, arrest warrants, issuance authorized, detention pending extradition authorized: HB 970, SB 4779
- Fire, failure to report, as specified, crime defined, penalty prescribed: SB 3292
- Fire, refusal to report, crime defined, penalty prescribed: SB 3292
- Firearms, dangerous weapons, school premises, prohibited, violation, class C felony, exemptions: Sub HB 898, SB 4639
- Firearms, dangerous weapons, school premises, students under 21, prohibited, violation, gross misdemeanor, exemptions: *HB 600, CH 47 E1 (1982)
- Food fish, shellfish vessels, gear, taking, molesting, penalty prescribed: SB 4524, *HB 46, CH 14 (1982)
- Forest land, live coals, fire, deposit, closed season, prohibited, violation, misdemeanor: HB 223
- Funeral directors, violations: *Sub HB 871, CH 66 (1982)
- Game laws, big game, endangered species, subsequent game law violations, felony prosecution, penalty provisions, property disposal: *Sub HB 834, CH 31 (1982)
- Gasoline price posting act: SB 4829
- General revisions: *HB 600, CH 47 E1 (1982)
- Guilty pleas, convictions, assessment to be levied, prescribed: SB 3301
- Habitual criminal status, redefined: HB 569
- High impact, listed, habitual criminal status: HB 569
- Hunting, interference with, prohibited, penalties prescribed, permitted civil actions: SB 4727
- Incest, felonious acts specified: Sub HB 1048, *Sub SB 4461, CH 129 (1982)
- Insanity, reason for felony acquittal, considered dangerous, hospitalization, appropriate alternative treatment, court must order: HB 494
- Insurance, licensees, felony convictions, license revocation provision: *Sub HB 902, CH 181 (1982)
- Legislators, felony conviction, salary terminated, restoration provisions: SB 3864
- Limited casualty program, eligibility, assets transfer provisions, prohibitions, penalties prescribed: *2nd Sub HB 557, CH 3 E2 (1981)
- Look-a-like drugs, imitation drugs defined: Sub HB 820, *Sub HB 15, CH 171 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

CRIMES AND CRIMINAL PROCEDURES—cont.

- Medical assistance program, eligibility, assets transfer provisions, prohibitions, penalties prescribed: *2nd Sub HB 557, CH 3 E2 (1981)
- Motorcycles, offenses, penalty assessment, deposit, traffic safety account, motorcycle education allocation: Sub SB 3381
- Offenses, certain, sentences, statutory changes, prison terms and paroles board, consideration required: SB 4685
- Organized crime intelligence unit, investigative information divulging: Sub SB 3120
- Pharmaceutical agents, optometry use regulated: SB 3040
- Pistols, concealed, license requirements, abode, business, vehicle provisions: SB 4470, *HB 600, CH 47 E1 (1982)
- Police courts, city, appeals: SB 3069, SB 4489
- Police dog handlers, civil immunity, penalty for harming: *HB 289, CH 22 (1982)
- Pornography, moral nuisances, defined, enforcement authority: *Sub HB 626, CH 184 (1982)
- Prisoners, county, fine reduction rate, county establishment permitted: SB 3301
- Prisoners, transferred outside state, personal security purposes, notice of transfer requirement exemption: SB 3424
- Prostitution, minors: Sub HB 293
- Rape crisis centers, records, defense attorney availability, conditions prescribed: Sub SB 3958
- Rape, sentencing revisions: *Sub HB 874, CH 192 (1982)
- Real estate, time-sharing penalties: SB 3775
- Real estate, time-sharing penalties, licensing department appropriation: Sub SB 3775, 2nd Sub SB 3775
- Sales tax, collected moneys, illegal uses, false tax returns, felony provisions: SB 4604
- Sexual abuse, children, actions, time limits, rules of evidence, modified: SB 4461, *Sub SB 4461, CH 129 (1982)
- Sexual abuse, children, commencement of prosecution, five-year limitation established: HB 682
- Sexual assault victims, counselors, communications, crime prosecution, not admissible, conditions prescribed: SB 3958
- Shellfish pots, lifting, south of Hood Canal bridge abutments, specified time periods, clams exemption: SB 4524, *HB 46, CH 14 (1982)
- Speeding violations, 55–70 mph, freeways, insurance abstract exclusion, abstract use violation, misdemeanor: SB 3518, Sub SB 3518
- State patrol, conviction records release, fees provisions, liability exemption, rules adoption requirement: *Sub SB 4775, CH 202 (1982)
- State patrol, identification section, conviction records release, fees provisions, liability exemption, rules adoption, conviction requirement: SB 4775, Sub SB 4775
- Substances, as specified, smelling, inhaling fumes, unlawful: SB 4736
- Tax evasion, certain, penalty imposed: SB 4604
- Threats, as specified, governor, governor-elect, lieutenant governor, those in succession, penalties prescribed, WSP investigation: HB 745

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

CRIMES AND CRIMINAL PROCEDURES—cont.

- Threats, as specified, governor, immediate family, governor-elect, lieutenant governor, successors, class C felony, WSP investigation: *HB 745, CH 185 (1982)
- Transit drivers, operators, assaults on, penalty prescribed: *SB 4483, CH 140 (1982)
- Trees, unauthorized destruction, penalty repealed: *Sub HB 135, CH 28 (1982)
- Trespass wildlife agents, law enforcement authority: SB 4753
- Unemployment compensation, gross misdemeanor conviction, disqualification, recovery: *Sub SB 4216, CH 18 E1 (1982)
- Uniform crime reports program, criminal justice training commission appropriation, future appropriations requirement: *Sub HB 1130, CH 125 (1982)
- Unlawful detainer actions, justice courts, concurrent original jurisdiction: SJR 140
- Unlawful detainer actions, procedures, bond requirement, modified: SB 4556
- Witnesses, spouse, disqualification, not applicable, marriage occurring after charges filed: *SB 4474, CH 56 (1982)

CRIMINAL JUSTICE TRAINING COMMISSION

- Indian tribes, certain, members, law enforcement activities, training authorized: SB 3717
- Judicial training, programs, standards, transferred from criminal justice training commission, judicial standards training board: SB 4083
- Training facilities, lease limitation removed, GA department lease approval requirement: SB 4842, *HB 1066, CH 124 (1982)
- Uniform crime reports program, appropriation, future appropriations requirement: *Sub HB 1130, CH 125 (1982)

CRISIS INTERVENTION

- Rape crisis centers, records, defense attorney availability, conditions prescribed: Sub SB 3958
- Sexual assault victims, counselors, communications, crime prosecution, not admissible, conditions prescribed: SB 3958

CRUDE OIL AND OIL (See also ENERGY OFFICE, STATE; ENERGY FACILITY SITE EVALUATION COUNCIL)

- Cherry Point, shoreline, state-wide economic significance designation, commercial uses encouraged, as specified (vetoed): SB 4831
- Federal severance tax trust fund, establishment petitioned: SJM 126
- Oil and gas conservation committee, powers, duties revised, oil and gas definitions, regulations revised: SB 4944
- Oil and gas conservation committee, powers, duties revised, oil and gas definitions, regulations revised, severance tax imposed, revolving account created: Sub SB 4944
- Oil and gas joint committee formation, search, development, current laws study, report: *HCR 50 E1 (1982)
- Oil and gas severance and conservation tax act: SB 4458
- Recycling, ecology department program, energy office cooperation, used oil information center, collection points, surveys, rules adoption: SB 4686

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

CULTURAL ACTIVITIES (See also **NONPROFIT ORGANIZATIONS AND ASSOCIATIONS; PERFORMING ARTS AND PERFORMING ARTS CENTERS**)

Cultural arts, stadium, and convention districts, establishment permitted, powers, duties, taxing authority: *Sub HB 1156, CH 22 E1 (1982)

CUSTODY

Children, joint, conditions prescribed: Sub HB 905, SB 3246, Sub SB 3246, SB 4509

Custodial interference, defined, class C felony: SB 4509, SB 4521

Social and health services financial responsibility act: Sub HB 759

CUTOFF DATES

Inquiry regarding 791,931-933

DAIRY PRINCESS, WASHINGTON STATE

Gayla Schorno, addressed senate, royalty introduced 699

DALY, MAXINE E.

Member, personnel appeals board, GA 507, confirmed 13,475,869

DAMAGES

Aircraft, recreational flying, outdoor recreation, property owners, damage, liability immunity, as defined: SB 4654

Civil actions, agreements, plaintiffs, defendants, court disclosure required: SB 4678

Hazardous materials, transportation incidents: SB 4525, *HB 883, CH 172 (1982)

Insurance, comprehensive, collision coverage, liability coverage inclusion required: SB 3244

Irrigation districts, official duties, payment provision: Sub SB 3363

Judgments, prejudgment interest permitted: Sub SB 3078

Local government, self-insurers, real, personal property loss, damage, losses resulting from such loss, coverage permitted: SB 4765

Malicious prosecution, grounds revised, damages, attorneys fees: HB 563

Mortgages, satisfaction, damages, attorneys' fees allowed: SB 4517

Motor vehicles, insurance, mandatory liability coverage required: Sub HB 892, SB 3244

Motor vehicles, insurance, underinsured coverage, hit and run, phantom vehicles, as defined, deductible amount: SB 3244

Property, destroyed, owner, replacement cost, use loss value, recovery permitted: SB 4986

Property interests, relief from governmental acts: SB 4766, *Sub HB 1006, CH 232 (1982)

Retaliation, persons reporting violations of law, prohibited: SB 4514

School facilities, damage, pupil liability: *Sub HB 462, CH 38 (1982)

DANCE

Nonprofit arts organizations, as defined, class L liquor license, established, fee imposed: HB 342

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

DASH POINT

Wastewater treatment outfall, establishment between Alki Point/Dash Point prohibited, conditions prescribed: SB 4482

DATA PROCESSING

Automation equipment, vehicle title, license applications use, purchase, maintenance, licensing department appropriation: *SB 4549, CH 57 (1982)

Information processing, hardware, software, employment security department acquisition, DPA approval required: *SB 4919, CH 59 (1982)

DAY CARE CENTERS AND SERVICES

Cost-shared day care program, DSHS appropriation: *Sub SB 4369, CH 50 E1 (1982)

Cost-shared day care program, DSHS funds availability, as specified: Sub HB 1105

Private, family, regulated, registration, fire, health inspection: SB 3007, SB 4434

Public assistance, employment, training services, DSHS, delineated: SB 4962

DAY TRAINING CENTERS

Printing services, total copy systems services, state agencies, use required, conditions specified, higher education exemption: *Sub HB 1024, CH 164 (1982)

DEAF PERSONS

Audiologists defined: Sub HB 1150

Hearing aid council, members, public representation required: Sub HB 1150

Hearing aids, licensees regulations revised, continuing education, surety bond, trainee, sales restrictions requirements specified: Sub HB 1150

School, superintendent, persons over 18, authorized: Sub HB 148

DEALERS

Commission merchants, agricultural products definition, horses, donkeys, mules exclusion, removed: SB 4438, *Sub SB 4438, CH 194 (1982)

Commission merchants, horse racing, nonapplicability: *Sub SB 4438, CH 194 (1982)

Commission merchants, livestock dealers, additional bond requirement: SB 4438, Sub SB 4438

Commission merchants, livestock dealers, payment requirements: SB 4437

Livestock, additional bond requirement: *Sub SB 4438, CH 194 (1982)

Salmon harvesters commission, creation, referendum provision, members, powers, duties, inspection, enforcement authority, civil service, budget, accounting exemptions: Sub SB 3204

Used vehicles, sales, emission control testing exemption: HB 915

DEATH AND DYING (See also FUNERALS AND FUNERAL DIRECTORS; HUMAN REMAINS)

Autopsies, sudden death, as specified, county coroner, mandatory, required: Sub HB 1069

Benefits, industrial insurance, adjustments, reflect changes average monthly wages: *SB 4133, CH 20 E1 (1982)

Coroner qualifications, joint select committee established, members, duties, report: SCR 132

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

DEATH AND DYING—cont.

- Deceased persons, 18 or older, county auditor list required, voter registration cancellation purposes: Sub HB 148
- Estates, probate, informal, authorized, conditions specified: SB 4722
- Medical examiner system, state, established, conditions specified: SB 4991
- Railroad trespassers, injury, death, employee liability immunity: *SB 4512, CH 141 (1982)
- Wills, validity determination, prior to death of testator, authorized: SB 4710

DEBT (See also INTEREST AND USURY)

- Capital facilities, bond issuance, priorities established, state debt conditions: *Sub HB 1230, CH 48 E1 (1982)
- Homestead property, forced sale authorized, debts incurred fraudulently: SB 4867
- Judgments, enforcement, homestead, redefined, exemption, abandonment provisions, execution sales, notices, proceeds use requirements, affidavit filing: SB 3459
- Judgments, enforcement, homestead, redefined, mobile home inclusion, exemption, abandonment provisions, execution sales, notices, proceeds use requirements, affidavit filing: Sub SB 3459
- Public, collection agencies, governmental agencies, use permitted: SB 4476, *HB 844, CH 65 (1982)
- Sales, use tax payments, bad debts, as defined, retailers, payment not required: HB 991
- Sales, use tax payments, worthless debts, retailers, payment not required, seller credit, refund provisions: *SB 4250, CH 35 E1 (1982)

DECALS

- Snowmobiles, failure to show, fine increased: *HB 896, CH 17 (1982)

DECALS - MOTOR VEHICLES

- Parking, disabled persons, use: SB 3001

DECCIO, SENATOR ALEX A.

- Personal privilege, introduction Bonnie Riach, instrumental in making 3rd SHB 179 possible 787
- Remarks, regarding Dave Cunningham 183
- Remarks, retirement of Senator Wilson 1770
- Statement for journal, missing vote on HB 1243, would have voted "yes" 2666

DEDUCTIONS

- B&O tax, investments, dividends, amount earned, repealed: SB 4401
- IRA's, public employees, payroll deductions authorized: SB 4697, *Sub SB 4697, CH 107 (1982)
- PERS, allowances, deductions, payment group insurance premiums, permitted, OFM policy approval: Sub HB 733
- PERS, group insurance or plans, authorized: *SB 4468, CH 135 (1982)
- Political action committees, contributions, certificated employees, payroll deduction restrictions specified: SB 4637

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

DEDUCTIONS—cont.

- Political contributions, public employees, certain, payroll deductions prohibited: SB 4698
- School districts, first class, honest performance bonds, deductible inclusion: *Sub HB 849, CH 191 (1982)
- TRS, allowances, deductions, payment, group insurance premiums, permitted, OFM policy approval: Sub HB 733
- TRS, monthly, group insurance or health care benefit plans, retirement association fees, as defined, authorized: *SB 4468, CH 135 (1982)

DEEDS

- Conveyance tax, exempted transactions stated: SB 4038
- Local improvement assessment deeds, issuance, property owner, occupant notice requirement: SB 4394
- Local improvement districts, delinquent assessment foreclosure, summons requirement, alternative method repealed: *Sub HB 823, CH 91 (1982)

DEEDS OF TRUST

- Conveyance tax, exempted transactions stated: SB 4038

DEFENSE - LEGAL

- Irrigation districts, damages, official duties, payment provision: Sub SB 3363

DEFERRED COMPENSATION COMMITTEE

- IRA's, state employees, offering authorized: *Sub SB 4697, CH 107 (1982)
- Plans, public employees, risk, state, committee members, limited: SB 4581
- Public depositaries: SB 4825

DELAYED STRESS SYNDROME

- Information, VA department, distribution, physicians, mental health centers, required: *SB 4619, CH 97 (1982)

DENTAL HYGIENISTS

- Insurance coverage, beneficiary's reimbursement, indemnity rights: Sub HB 824
- Insurance coverage, checks, joint endorsements required, exemption as specified: Sub SB 4610, *Sub HB 824, CH 168 (1982)

DENTISTRY (See also DENTAL HYGIENISTS)

- Anesthesia, nondental, dentists use allowed, conditions specified, medical disciplinary board jurisdiction: *Sub HB 1047, CH 51 (1982)
- Dental insurance, benefits, beneficiary's reimbursement, indemnity rights: Sub HB 824, SB 4588
- Dental insurance, checks, joint endorsements required, exemption as specified: Sub SB 4610, *Sub HB 824, CH 168 (1982)
- Dental insurance, nonparticipating dentists, use restrictions prohibited, payment requirement: SB 4499
- Developmentally disabled persons, dental care, DSHS eligibility standards establishment, care availability, appropriation: SB 4913

DEPARTMENTS

- Ecology, abolished, functions, property transferred, natural resources department: SB 4379

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) . . . Passed during 1981 Second Special Session.
- E1 (1982) . . . Passed during 1982 First Special Session.
- E2 (1982) . . . Passed during 1982 Second Special Session.

DEPARTMENTS—cont.

Emergency services, termination, sunset act, date established: SB 4626, *Sub HB 875, CH 223 (1982)

Veterans affairs, termination, sunset act, date established: SB 4626, *Sub HB 875, CH 223 (1982)

DEPOSITS (See also CERTIFICATES OF DEPOSITS)

Branch banks, deposits, international banking facilities, certain, exemption: SB 4115

Budget stabilization account, establishment directed, appropriations, fiscal emergencies, retirement systems assets, revenues, biennium credit: Sub HJR 13

Budget stabilization account, transfers, deposits, legislative appropriation requirements, expenditures, uses specified: *Sub HB 1109, CH 36 E1 (1982)

Community college education board, treasurer, requirements: SB 3821

Excise tax registration certificate, nonrefundable deposit removed, fee established: *HB 765, CH 4 E1 (1982)

Financial institutions, as defined, depositors, accounts classification, permitted, money market deposit competition purpose: SB 3925

Unclaimed property, disposition, time period reduced: *Sub HB 766, CH 1 E2 (1981)

Unclaimed property, uniform act, enacted: Sub HB 1128, SB 4391

Workers compensation, direct deposit, financial institutions, authorized: *SB 4947, CH 109 (1982)

DEPUTY SECRETARY OF THE SENATE

Marilyn Brachtenbach

DEVELOPMENTAL DISABILITIES (See also SOCIAL AND HEALTH SERVICES, DEPARTMENT OF)

Deinstitutionalization subsidy program: SB 4847

Dental care, DSHS eligibility standards establishment, care availability, appropriation: SB 4913

Nursing homes, care, purchase in institutions for mentally retarded, permitted, rules provision: *Sub HB 760, CH 11 E2 (1981)

Statute, definition as in public law 91-517, repealed: *HB 851, CH 224 (1982), SB 4651

deVRIES, ELNA I.

Member, board of trustees, Skagit community college

district 4, GA 553, confirmed 388,609,881

DIPLOMAS

Students, 1982 graduates, higher education institution enrollment after March 29, 1982, authorized: SB 4511

DISABILITY - MEDICAL (See also WORKERS' COMPENSATION - INDUSTRIAL INSURANCE AND SAFETY)

Industrial insurance, payments, persons receiving disability allowance from employer, denied: SB 3496

DISABLED PERSONS (See also PARKING - MOTOR VEHICLES; TAXES - PROPERTY; SOCIAL AND HEALTH SERVICES,

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

DEPARTMENT OF; WORKERS' COMPENSATION - INDUSTRIAL INSURANCE AND SAFETY)

- Blind commission, abolished, powers, duties transferred, social and health services department: SB 4553
- Deinstitutionalization subsidy program: SB 4847
- Fishing licenses, free, persons confined to wheelchairs: SB 4751
- Handicapped children program, eligibility extended, programs, children under three permitted: Sub SB 3912
- Handicapped children program, redesignated, handicapped students, eligibility extended, special aid limitations, programs, children under three permitted: SB 3912
- Sheltered workshops, day training centers, group training homes, state agencies, use requirements, higher education exemption: *Sub HB 1024, CH 164 (1982)
- Specified disease insurance policy return requirement: *Sub HB 902, CH 181 (1982)
- Vehicles, ride-sharing, as defined, MVET exemptions: *Sub SB 4545, CH 142 (1982)
- Vehicles, transit services, MVFT exempt, refund provision: SB 4760
- Veterans, disabled, prisoners of war, license plates, free, authorized: Sub SB 3035, SB 4720, *HB 623, CH 115 (1982)
- Vocational rehabilitation, workers' compensation provisions modified, rehabilitation review division created: HB 454, SB 3902
- Vocational rehabilitation, workers' compensation provisions modified, rehabilitation review office created, appropriation: *HB 454, CH 63 (1982)
- Workers' compensation vocational rehabilitation reform act, enacted, L&I division of rehabilitation review, responsibilities prescribed: HB 454, SB 3902

DISASTER AREAS (See also NATURAL DISASTERS)

- Accreted land, Toutle, Cowlitz rivers, deposits, DNR impact study, report requirements: Sub SB 3824
- Accreted land, Toutle, Cowlitz rivers, volcanic area, adjacent landowners, leases authorized, conditions prescribed, ownership claims prohibited: Sub SB 3824
- Milwaukee railroad, right-of-way, acquisition, unexpended funds, use, dredge spoil sites, Cowlitz, Coweeman, Toutle rivers, purchase authority, sec 110: *Sub HB 811, CH 14 E2 (1981)
- St. Helens, disaster relief, select committee establishment: *SCR 126 E2 (1981)

DISCOVERY PARK

- Final disposition, historic preservation exemption: 2nd Sub SB 3027

DISCRIMINATION (See also HUMAN RIGHTS COMMISSION)

- Cities, first class, ordinances against, authority: HB 100, SB 3920
- Clubs, bona fide, organizers, class H liquor license, authorized, funds investment, food service requirements, discrimination provision: Sub HB 1063
- Retaliation, persons reporting violations, as specified, prohibited, civil action relief provisions: SB 4514

DISEASES

- Livestock, sales, disease free, no implied warranties provision: *SB 4436, CH 199 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

DISEASES—cont.

Specified disease insurance policy return requirement: *Sub HB 902, CH 181 (1982)

DISEASES - PLANT

Pesticides use, emergency measures, aerial application, authorized, liability immunity, insect detection and control, agriculture department appropriation: *Sub SB 4684, CH 153 (1982)

DISPLACED HOMEMAKERS

Program, extended, postsecondary education council evaluation requirements, agency program description, dissolution fee collection: HB 286

Program, extended, postsecondary education council requirements, agency program description, marriage license fee, additional imposed, appropriation: *HB 286, CH 15 E1 (1982)

DISSOLUTION OF MARRIAGE

Children, joint custody: Sub HB 905, SB 3246, Sub SB 3246, SB 4509

Displaced homemaker program, agency services description, dissolution fee collection: HB 286

Retirement, public employment, benefits, court termination, member, payment in full, member's new spouse provision: SB 4503

DISTRICT COURTS (See also JUSTICE COURTS)

Arbitration, jurisdiction, district, superior courts: SB 4695, *HB 897, CH 122 (1982)

Contractors' bonds, actions authorized, small claims department exclusion: SB 3115

DISTRICTS (See also type of district)

Cemetery, commissioners, public disclosure exemption: SB 3562

Cemetery, electors, commissioners, public disclosure requirements exemption: *Sub HB 40, CH 60 (1982)

Community colleges, abolished, facilities transferred, regional universities, program continuation, faculty retained: SB 4457

Cultural arts, stadium, and convention, establishment permitted, powers, duties, taxing authority: *Sub HB 1156, CH 22 E1 (1982)

Elections, legal notices, requirements revised: SB 4589

Hospital, smaller districts, powers, duties exclusion provision removed: *HB 955, CH 84 (1982)

Hospital, surplus property, interest-bearing warrants, mortgages, division procedures, commission vacancies: *HB 955, CH 84 (1982)

Island counties, as specified, unequal commissioner districts allowed: HB 1180, *Sub HB 58, CH 226 (1982)

Island library, authorized, conditions specified: *HB 999, CH 123 (1982)

Legislative, 35, boundaries clarified: *HB 775, CH 5 E2 (1981)

Local improvement, assessments, collection provisions modified: SB 3594

Public works, domestic wood products, purchase required, OFM rules adoption, exemptions: SB 4823

School community recreation, establishment conditions, taxing powers, bond issuance authority, voter approval requirement: SB 4912

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

DISTRICTS—cont.

- Service, excise tax, power granted, conditions prescribed, hearing requirement: SB 4382
- Short-term obligations, issuance authorized, existing bonds, interest provision: SB 4728, *Sub SB 4728, CH 216 (1982)
- Solid waste disposal, establishment authorized, tax levy, bond issuance: *Sub HB 221, CH 175 (1982)
- Taxing, municipal corporations division duties prescribed: SB 4573
- Taxing, tax increment obligations authorized, conditions prescribed, constitutional contingency: SB 4119, Sub SB 4119
- Tax powers prescribed: *SB 4972, CH 49 E1 (1982)
- Utility local improvement, storm water control facility benefits, conditions prescribed: Sub SB 4271
- 106% limit, determination provisions modified: Sub HB 17

DIVIDENDS

- B&O tax, deduction, amounts earned, investments, dividends, as specified, repealed: SB 4401
- Credit unions, revisions: SB 3151
- Mutual savings banks, interest, dividends, payments from guaranty funds, as specified: *Sub SB 3679 CH 5 (1982)

DIVISIONS

- Arson fraud, created, fire marshal investigative duties: Sub SB 3366
- Children and families, DSHS, plans development, legislative submission schedule prescribed, services consolidation purposes: SB 4851
- Workers' compensation vocational rehabilitation reform act, enacted, L&I division of rehabilitation review, responsibilities prescribed: HB 454, SB 3902

DIXON, ROBERT E.

- Member, juvenile disposition standards commission, GA 547, confirmed 386,701,880

DMSO - DIMETHYL SULFOXIDE

- Sales, use, legend drug, authorized: SB 3185, Sub SB 3185

DOCKS

- Port districts, facilities, rentals, use, regulations adoption authorized, enforcement procedures establishment permitted: SB 4014, Sub SB 4014
- Upland owners, recreational use, state lands, additional rent or fees prohibited: *Sub SB 4824, CH 21 E1 (1982)

DOGS (See also ANIMALS)

- Cruelty, fighting, penalties: *HB 621, CH 114 (1982)
- Police dog handlers, civil immunity, penalty for harming: *HB 289, CH 22 (1982)

DOMASKIN, JEFF

- Governor's message, resigned appointment 644

DORAN, HONORABLE THELMA M.

- Consul General, Ireland, introduced, addressed senate 1579-1580

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

DRAINAGE DISTRICTS

- Facilities, counties, construction, private developers, authority granted: SB 3593
- Facilities, PUD authority: SB 3581
- Sewerage system, redefined, sewerage and/or water general plan, comprehensive plan, inclusion: SB 3739, Sub SB 3739

DRAMA

- Nonprofit arts organizations, as defined, class L liquor license, established, fee imposed: HB 342

DREDGING (See also LAND; COWLITZ RIVER)

- Milwaukee railroad, right-of-way, acquisition, unexpended funds, use, dredge spoil sites, Cowlitz, Coweeman, Toutle rivers, purchase authority, sec 110: *Sub HB 811, CH 14 E2 (1981)
- St Helens eruption, dredge spoil sites acquisition, DOT appropriation: SB 4510, *Sub SB 4510, CH 7 (1982)
- Volcanic silt, dredge spoils deposit, land acquisition, as specified, moneys distribution, county application, DNR, authority, renewal: SB 4381

DRILLING

- Oil and gas conservation committee, powers, duties revised, oil and gas definitions, regulations revised, severance tax imposed, revolving account created: Sub SB 4944
- Oil and gas joint committee formation, search, development, current laws study, report: *HCR 50 E1 (1982)
- Titaniferous magnetite, off-shore extraction, excise tax imposed: SB 4620, Sub SB 4620

DRIVERS' LICENSES (See also DRUNK DRIVERS)

- Drivers' ed, traffic safety education courses, establishment provisions repealed: HB 800
- Driving record abstracts, fees increased: HB 1023
- Motor vehicles, nonresident violator compact, motorist violations: SB 4750, *Sub SB 4750, CH 212 (1982)
- Occupational, regular license revoked under implied consent law, issuance permitted, as specified: Sub SB 4153
- Occupational, regular license revoked under implied consent law, issuance permitted (vetoed): HB 537
- Unlicensed, vehicle impoundment, rules adoption: SB 3549, *Sub SB 3549 CH 8 (1982)

DRIVERS - MOTOR VEHICLES (See also LICENSE PLATES; DRIVERS' LICENSES; DRUNK DRIVERS; LICENSING AND LICENSING, DEPARTMENT OF)

- Accidents, official business, fire fighters, WSP, law enforcement officers, employment driving record, report requirement: *SB 3233, CH 52 (1982)
- Instructors, persons over 18, allowed: Sub HB 148
- Transit drivers, operators, assaults on, penalty prescribed: *SB 4483, CH 140 (1982)
- Unlicensed, vehicle impoundment, rules adoption: SB 3549, *Sub SB 3549 CH 8 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

DRUGS - PRESCRIPTION (See also CONTROLLED SUBSTANCES; PHARMACEUTICAL AGENTS)

DMSO, legend drug, sales, use authorized: SB 3185, Sub SB 3185

Nursing homes, medication orders revised: *Sub HB 852, CH 120 (1982)

Schools, common, private, oral medication, students, administration authorized, conditions prescribed, liability exemption: Sub SB 3541, *2nd Sub SB 3541, CH 195 (1982)

DRUNK DRIVERS

Convicted, mandatory 24-hour imprisonment, probation, second conviction provisions: SB 4819, Sub SB 4819, *HB 600, CH 47 E1 (1982)

Occupational driver's license, regular license revoked under implied consent law, issuance permitted, as specified: Sub SB 4153

Occupational driver's license, regular license revoked under implied consent law, issuance permitted (vetoed): HB 537

Vehicle forfeiture provisions: Sub SB 4153

DUWAMISH HEAD

Wastewater outfall, operation, south of Duwamish Head, DOE funds expenditure prohibited, sec 65 (vetoed): Sub HB 811

EARTHQUAKES

School buildings, unsafe, seismic hazards, school boards, state education board duties specified: SB 4911

EARTH-SHELTERED CONSTRUCTION

Joint select committee, establishment, members, purposes, report: SCR 112

EASEMENTS

Real estate, state, general administration department, director, authority defined, exempt agencies specified: *Sub HB 810, CH 41 (1982)

EASTERN WASHINGTON HISTORICAL SOCIETY

Centennial commission, established, membership, responsibilities, appropriation: Sub SB 3031

EASTERN WASHINGTON UNIVERSITY (See also REGIONAL UNIVERSITIES)

Retirement contributions, appropriation: SB 4424

Travel, reduction specified, sec 86 (vetoed): Sub HB 811

EASTERN WASHINGTON UNIVERSITY BOARD OF REGENTS

Shaber, Bert, member: GA 552, confirmed 388,702,881

ECOLOGY, DEPARTMENT OF (See also EMISSION CONTROLS: ENVIRONMENTAL IMPACT STATEMENTS)

Abolished, functions, property transferred natural resources department: SB 4379

Cities, incorporation proceedings, SEPA exemption: *SB 3446, CH 220 (1982)

Containers, beverage, pull-tab, sales prohibited, violations, DOE enforcement, rules adoption: *Sub HB 448, CH 113 (1982)

Energy conservation and development commission, established, energy office, EFSEC abolished, ecology director, nonvoting member: SB 4844

Environmental coordination procedures act, permit processes: Sub HB 634

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

ECOLOGY, DEPARTMENT OF—cont.

- Environmental coordination procedures act, permits, approval, time limits set:
*HB 859, CH 179 (1982)
- John Wayne trail select committee, establishment, members, duties, agency cooperation: SCR 143
- Lake Osoyoos international water control structure, acquisition, operation authorized, matching funds, uses, appropriation: SB 4846
- Lake Osoyoos international water control structure, acquisition, operation authorized, matching funds, uses, existing appropriation, as specified: *Sub SB 4846, CH 76 (1982)
- Local government master program adjustments, review provisions, as specified, APA exemption, as specified: Sub HB 1098
- Milwaukee road select committee, establishment, members, duties, agency cooperation: *SCR 143 E1 (1982)
- Model litter control and recycling program, sunset termination date established (vetoed): Sub HB 875
- Oil recycling, program, energy office cooperation, used oil information center, collection points, surveys, rules adoption: SB 4686
- SEPA, actions, bond required, plaintiffs, court requirement: SB 4386
- Sewer lines, new, referendum 39 bond moneys, use authorized, high unemployment areas, industrial districts development priorities: SB 4877
- Sewer lines, new, referendum 39 bond moneys, use authorized: SB 4877
- Shoreline hearings board, contested case hearings, notice requirement: Sub HB 914
- Shorelines permits, shoreline hearings board review, on the record requirement, de novo hearings, contested case hearings, notices: Sub HB 914
- Shorelines, wetlands, classification, changing circumstances, revisions, high water mark changes, in accordance, local government or DOE permits: *SB 3916, CH 13 E1 (1982)
- St Helens, recovery operations, SEPA, SMA, diking, drainage, water, flood control requirements exemption: SB 4510, *Sub SB 4510, CH 7 (1982)
- Substantial development permits, ECPA permit definition exclusion: Sub HB 634
- Wastewater outfall, operation, south of Duwamish Head, funds expenditure prohibited, sec 65 (vetoed): Sub HB 811
- Wastewater treatment outfall, establishment between Alki Point/Dash Point prohibited, conditions prescribed: SB 4482
- Water rights determination, appeals, costs, state obligation: *Sub HB 449, CH 15 (1982)

ECONOMIC IMPACT (See also FISCAL IMPACT; COMMERCE AND ECONOMIC DEVELOPMENT AND DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT)

Act, repealed: SB 4424

Regulatory fairness act, agencies, economic impact, as defined, rules, requirements, conditions prescribed: *HB 385 CH 6 (1982)

EDMONDS COMMUNITY COLLEGE DISTRICT NO. 23, BOARD OF TRUSTEES

Jones, Rudy, member: GA 570, confirmed 392,610,886
Sherman, Vaughn A, member: GA 544, confirmed 23,477,879

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

EDMONDS COMMUNITY COLLEGE DISTRICT NO. 23, BOARD OF TRUSTEES—cont.

Simons, Carol, member: GA 545, confirmed 23,477,879

EDUCATION (See also HIGHER EDUCATION; SCHOOLS AND SCHOOL DISTRICTS)

ASB funds, use, scholarship, charitable purposes, allowed, not considered public funds: SB 3617, *Sub SB 3617, CH 231 (1982)

ASB program funds, scholarship, charitable purposes, use authorized, funds defined: SJR 137

Attendance exemption, public schools, religious, personal beliefs: SB 4737

Attendance incentive program, school employees, buy-back authority repealed, sick leave accumulation limit established: SB 4383

Block grants, education enrichment block grant act, enacted: SB 4693, Sub SB 4693

Bond issues, certain, forty percent validation requirement removed, constitutional contingency: HB 997

Certificated personnel, accreditation, renewal, examination requirements specified, education board duties, suspension, probation provisions: SB 4843

Certificated personnel, certificates, registration refusal, revocation, appeal: SB 3336

Classroom contact hours, direct, certain requirement removed: SB 3588

Code, miscellaneous changes, obsolete sections removal: SB 4707, Sub SB 4707

Collective bargaining, nonmembers, dues excused, religious grounds, charitable donation requirement removed: SB 4440

Collective bargaining, nonmembers, representation fee payment, as defined, processing costs allowed: SB 4420

Collective bargaining, nonmembers, representation fee payment, certain, deduction authority removed: SB 4440

Collective bargaining, nonmembers, representation fee payment, required, conditions specified: Sub SB 4440

Committee, temporary, educational policies, structure, management, created, members, duties, report, termination, appropriation: *SB 3609, CH 33 E1 (1982)

Community participation, economic use of resources, reporting, obsolete language deleted: Sub HB 770

Direct student service programs, ESD establishment authorized, interlocal cooperation act compliance: *HB 401, CH 46 (1982)

Drugs, alcohol, effects, 7th, 8th grade health courses, curriculum requirement: SB 3724

Education enrichment block grant act, program consolidation: SB 4693, Sub SB 4693

Fact-finding procedures, educational employment relations act, established: SB 3405

Forty percent validation, bond elections, certain, validation requirement removed, constitutional contingency: HB 997

Forty percent validation, excess levy elections, requirement removed: HJR 20

Hygiene, instruction requirement repealed: SB 3240

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

EDUCATION—cont.

- Juveniles, institutional, school district duties specified, funding stipulation: SB 4772
- Kindergarten, school year defined: *SB 3587, CH 158 (1982)
- Learning objectives, identification required, community involvement mandated, education board schedule setting designation: SB 4655, Sub SB 4655
- Levies, excess, authority phaseout schedule: SB 3848
- Levies, excess, forty percent validation requirement removed: HJR 20
- Levies, excess, limitation, exceeding, phaseout: Sub SB 3848
- Levies, excess, maintenance and operation, increase authorized: SB 4623
- Miscellaneous revisions: *Sub HB 849, CH 191 (1982)
- National history contest, participation, trade, industry, Eastern airlines support, May 8, 1982, history day, declaration: *SCR 146 (1982)
- Neighborhood assistance act: SB 4915
- Paperwork reduction coordination, administrative reporting, SPI, directed: SB 3588
- Physical education, instruction, course preparation, enforcement requirements, repealed: SB 3240, SB 4707, Sub SB 4707
- Program hour offerings, time percentage limits removed: SB 3588, SB 4655, Sub SB 4655
- Program objectives, comparable testing results, descriptive guide inclusion requirement deleted: Sub HB 770
- Pupil transportation, vehicles, purchase, borrowing, negotiable coupon bonds issuance, authorized: Sub HB 770
- Religious teaching certificates, special, graduates, certain nonaccredited institutions with religious affiliations, authorized: Sub SB 4238
- Salary deductions, political purposes, education employees, revisions: SB 4440, Sub SB 4440
- School funds, excess, investment authority revised: SB 4429
- School plant facilities aid, bond issue provisions, certain, repealed: Sub HB 770
- Schools, four-day week, pilot program authorized, objectives stated, SPI duties: HB 1000
- Standardized student testing program: Sub HB 770
- State control, individuals, church educational ministries, certain, exclusion: SB 4613
- Student learning objectives, identification, obsolete language deleted: Sub HB 770
- Students, completion, public assistance authorized, aid considered repayable debt: *2nd Sub HB 756, CH 10 E2 (1981)
- Student/teacher ratio standard provisions removed: SB 3588

EDUCATION BOARD, STATE

- Certificated personel, accreditation, renewal, examination requirements specified, duties: SB 4843
- Hygiene, instruction requirement repealed: SB 3240
- Learning objectives, identification, community involvement mandated, schedule setting designated: SB 4655, Sub SB 4655
- Members, terms, qualifications clarified: *HB 1084, CH 7 E1 (1982)
- Officers, president, vice-president election requirement, secretary, board appointment authority: *Sub SB 4917, CH 160 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

EDUCATION BOARD, STATE—cont.

- Physical education, instruction preparation, enforcement requirement removed:
SB 3240, SB 4707, Sub SB 4707
- Private school member representative, voting authorized: SB 4715
- Seismic hazards, unsafe facilities, duties prescribed: SB 4911
- Superintendent of public instruction, position redefined: HB 1129, SB 4917, *Sub
SB 4917, CH 160 (1982)

EDUCATIONAL SERVICE DISTRICTS (See also SICK LEAVE)

- Abolished, duties transferred, SPI, property, library, transportation provisions:
SB 4731
- Direct student service programs, establishment, authorized: *HB 401, CH 46
(1982)
- Funds, apportionment schedule modified, SPI interest costs appropriation: *Sub
SB 4502, CH 136 (1982)
- Funds, deposit, special purpose funds, county treasurer: HB 188, SB 3242
- Industrial insurance, self-insurers, authorized: SB 3757, SB 4648, Sub SB 4648
- Nonhigh districts, high school accounts, certain, abolished, funds distribution: SB
3449
- Property sales, proceeds, not certified by superintendent, real estate excise tax
purposes, state treasury remission provision: *HB 964, CH 176 (1982)
- School districts, certain, accounts, records, inspection requirement removed: HB
188, SB 3242
- School facilities, existing, energy conservation program, SPI, energy office, ESD's
cooperation, conditions specified, funds use, rules, appropriation: Sub SB 3277
- Self-insurance groups, formation authorized, L&I director regulatory rules adop-
tion requirement: *Sub HB 849, CH 191 (1982)
- Superintendent, joint district, voter authority removed: HB 188, SB 3242
- Surplus property, school districts, disposition requirements prescribed, private
school rights provision: SB 3753, Sub SB 3753

EDUCATIONAL SERVICES REGISTRATION ACT

- Workshops, seminars, exempt, as specified: Sub SB 4061

EIKENBERRY, KEN

- Member, corrections standards board, GA 489, confirmed 8,530,865

ELECTIONS (See also BALLOTS; BONDS; PUBLIC DISCLOSURE AND PUBLIC DISCLOSURE COMMISSION; VOTERS AND VOTING)

- ASB program funds, scholarship, charitable purposes, use authorized, funds
defined: SJR 137
- Budget, balanced, each biennium, state duty: Sub HJR 13
- Budget, federal, balanced, via constitutional amendment or constitutional conven-
tion call limited to balanced budget amendment, petitioned, referendum provi-
sion: SJM 105
- Budget stabilization account, establishment directed, appropriations, fiscal emer-
gencies, retirement systems assets, revenues, biennium credit: Sub HJR 13
- Candidates, indigent, filing: SB 4472, Sub SB 4472
- Candidates, simultaneous candidacy, incompatible offices, not allowed: SB 4624

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

ELECTIONS—cont.

- Census, state, constitutional requirement removed, obsolete terms updated: SJR 141
- Constitution, obsolete provisions, removed: SJR 142
- Costs, state officers, measures on ballot, prorated share, state assumption: SB 3932
- Current use valuation, lands with water dependent uses, authorized: SJR 144
- Current use valuation, lands with water dependent uses, designated wetland, shoreland areas, constitutional contingency: SB 4762
- Education board, state, members, terms, qualifications clarified: *HB 1084, CH 7 E1 (1982)
- Elective offices, incompatible, simultaneous candidacy, not allowed: SB 4624
- Energy conservation, renewable energy sources, loans, state, local governments, authorized: SJR 111, Sub SJR 111, 2nd Sub SJR 111
- Executive branch, reorganization facilitation: SJR 139, Sub SJR 139
- Fair campaign code: SB 4869
- Governor, legislative bills passed, action required: SJR 145
- Improvements, public, indebtedness, payment means provided, hearings requirements, eminent domain, potential use, public information: Sub SJR 143
- Improvements, public, indebtedness, payment means provided: SJR 143, *Sub SJR 143 E1 (1982)
- Initiatives, referendums, clarifications prescribed: Sub SB 3895
- Initiatives, referendums, petition requirements updated: *Sub HB 663, CH 116 (1982)
- Initiatives, referendums, petitions, normal size paper, use allowed, including newsprint: Sub SB 3645
- Irrigation districts, contracts, entrance, proportional payments, property owners: HB 198
- Island counties, as specified, unequal commissioner districts allowed: HB 1180, *Sub HB 58, CH 226 (1982)
- Joint operating agencies, elections, major public energy projects authorization, costs, payment required: *HB 1174, CH 88 (1982)
- Judges, courts of limited jurisdiction, candidate with largest primary vote on general election ballot: SB 4659
- Justice courts, unlawful detainer actions, concurrent original jurisdiction: SJR 140
- Law practice, legislature definition authorized: SJR 147
- Legal notices, requirements revised: SB 4589
- Legislative district, 35, boundaries clarified: *HB 775, CH 5 E2 (1981)
- Local governmental units, as defined, public disclosure exemption: Sub HB 40
- Municipal, candidates, city, town clerk, declaration of candidacy filing, delivery to county auditor requirement: HB 439
- Political candidates, residence defined, registration purposes: SB 4921
- Port districts, large, certain, three-member commission, membership expansion, requirement proposition submission, commissioner district provision: HB 57, SB 4448
- Port districts, 500,000 population reached, commission increase to five, consideration, election requirement: *SB 4425, CH 219 (1982)
- Property tax, repealed, flat income tax authorized: SJR 138

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

ELECTIONS—cont.

- Public disclosure, small jurisdictions: SB 4554, *Sub HB 40, CH 60 (1982)
- Recall, petition requirements revised: SB 4589
- Recall, supreme court, duties clarified: SB 4587
- Redistricting commission, independent, establishment authorized, conditions, duties: SJR 136
- School community recreation districts, establishment conditions: SB 4912
- School directors, running at large: Sub HB 279
- Schools, bond elections, certain, forty percent validation requirement removed, constitutional contingency: HB 997
- Schools, excess levy authority, phaseout schedule: SB 3848
- Schools, excess levy elections, forty percent validation requirement removed: HJR 20
- Schools, excess levy limitation, exceeding, phaseout: Sub SB 3848
- Schools, excess levy maintenance and operation, increase authorized: SB 4623
- Sewer, water districts, "island" within, annexation, procedures prescribed, referendum provision, as specified: *SB 4064, CH 146 (1982)
- Special purpose districts, merged, commissioners, office-holding, election, ballot provisions modified: *SB 4905, CH 104 (1982)
- State lottery, establishment, referendum provision: 2nd Sub HB 1103
- Superintendent of public instruction, appointment by, serve at pleasure of governor: SJR 135
- Tax revenues, state, growth restriction: SJR 113, Sub SJR 113
- Tribal claims, rights, fish, other natural resources, settlement, acquisition petitioned, memorial, vote of the people directed: HJM 20
- Utilities and transportation commission, members, nonpartisan state-wide elected officials provision, requirements specified: SB 4591
- Voters, registration, technical changes: SB 3257, Sub SB 3257
- Voting boundary commission act: SB 4426, *Sub HB 787, CH 2 (1982)
- Voting devices, approval authority transferred, secretary of state, from voting machine committee, abolished: *HB 572, CH 40 (1982)

ELECTRICIANS AND ELECTRICAL INSTALLATION (See also**LABOR AND INDUSTRIES, DEPARTMENT OF)**

- Employment, definition revised, unemployment compensation purposes: HB 1033, *Sub SB 4216, CH 18 E1 (1982)
- Medical devices, equipment, electrical installation provisions implementation: SB 3194
- Water heaters, thermostats, temperature setting requirements, owners', residents provisions, warning tag requirement: Sub HB 973, SB 4904

ELECTRICITY AND ELECTRICAL POWER (See also JOINT OPERATING AGENCIES; NUCLEAR ENERGY; PUBLIC UTILITIES AND PUBLIC UTILITY DISTRICTS)

- Cogeneration facilities, tax credit increased: *SB 3394, CH 2 E1 (1982)
- Cogeneration facilities, tax credit limitation provisions: SB 4607
- Electrical distribution and generating systems, certain, first class cities, revisions: SB 4714
- Electrical inspection fees, cities, towns, use restriction specified: HB 1178
- Electrical transmissions lines, certain, EFSEC authority: SB 4508

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) . . . Passed during 1981 Second Special Session.
- E1 (1982) . . . Passed during 1982 First Special Session.
- E2 (1982) . . . Passed during 1982 Second Special Session.

ELECTRICITY AND ELECTRICAL POWER—cont.

- Hydroelectric projects, certain, development charge, federal policy, reversal petitioned: SJM 117
- Inverted rate structure, adoption recommended: SCR 141
- Inverted rate structure, required, UTC responsibilities: SB 4616
- Price-Anderson act, nuclear plant owner liability limitation, modification petitioned: SJM 131
- WPPSS, nuclear power plant construction, temporary pause assessment requested: SCR 106

ELEVATORS

- General revisions: SB 4630

ELK

- Roosevelt, official state animal designation: HB 4

ELMGREN, RAYMOND L.

- Member, board of trustees, Columbia Basin community college district 19, GA 543, confirmed 22,735,1007

EMERGENCIES

- Emergency management, select committee, establishment, program consideration, members, report: SCR 142
- Hazardous materials, incident command agencies, emergency assistance agreements, authorized, conditions specified: *HB 883, CH 172 (1982)
- Highways, county roads, closure: *SB 4690, CH 145 (1982)
- Medical care, hospitals, physicians, refusal prohibited, as specified: SB 4873
- Open meetings, meeting sites, alternative, times of emergency, selection authorized: Sub HB 213
- Prison overcrowding emergency relief procedures, prescribed: SB 4958

EMERGENCY MEDICAL TECHNICIANS

- Certification period extended: *SB 3495, CH 53 (1982)

EMERGENCY SERVICES, DEPARTMENT OF

- Records, public, preservation, destruction, provisions modified: *HB 357, CH 36 (1982)
- Termination, sunset act, date established: SB 4626, *Sub HB 875, CH 223 (1982)

EMINENT DOMAIN

- Public improvements, indebtedness, payment means provided, hearings requirements, eminent domain, potential use, public information: Sub SJR 143

EMISSION CONTROLS (See also POLLUTION CONTROL)

- Motor vehicles, program repealed: SB 4652
- Motor vehicles, testing, mandatory, nonattainment areas, repeal urged: HJM 24
- Used vehicles, sold by dealers, testing exemption: HB 915

EMPLOYABLE PERSONS

- AFDC recipients, able, work requirement: SB 4699
- Unemployed, general assistance eligibility, terminated, public assistance eligibility, cash assistance programs, limits: Sub SB 3539

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

EMPLOYEES (See also PUBLIC EMPLOYEES)

- Health care services, premiums, labor disputes, contract holder payment required: *SB 3795, CH 149 (1982)
- Railroad trespassers, injury, death, employee liability immunity: *SB 4512, CH 141 (1982)
- Shared work, unemployment compensation benefits, payment authorized, as specified: SB 4745

EMPLOYERS

- Job service program, reemployment provisions, employment security department appropriation: SB 4946
- Retaliation, persons reporting violations of law, prohibited: SB 4514

EMPLOYMENT (See also UNEMPLOYMENT COMPENSATION BENEFITS; REDUCTION IN FORCE)

- AFDC recipients, able, work requirement: SB 4609
- Applicants, public employment, information inspection exemption: SB 4734, Sub SB 4734
- Appropriation, employment security department, unemployment insurance, employment services programs: *SB 4919, CH 59 (1982)
- B&O tax credit, businesses locating in high unemployment areas, as defined: SB 4870
- Contractors, definition revised, unemployment compensation purposes: HB 1033, *Sub SB 4216, CH 18 E1 (1982)
- Cooperative economic development act: SB 4990
- Domestic wood products, public works projects, purchase required: SB 4823
- Electricians, electrical contractors, definition revised, unemployment compensation purposes: HB 1033, *Sub SB 4216, CH 18 E1 (1982)
- Employment services program, employment security department, appropriation: SB 4594
- Explosives, sales, gift, disposal, delivery, persons under eighteen, unlawful, use provisions, employment exemption specified: HB 22
- Forest products industry employment recovery act: SB 4711
- Forest products recovery act, extension, default, interest provisions, St Helens damaged timber excluded: *Sub SB 4663, CH 222 (1982)
- Former state employees, firms agency had business with, restrictions specified: SB 4702
- FTE equivalents, hiring practices, conditions specified (vetoed): 2nd Sub HB 124
- Hiring policies, state agencies, higher education, delcared, reports to OFM required: Sub HB 1226
- Industrial insurance, acting in the course of employment, travel time, definition exclusion: SB 3755
- Job service program, reemployment provisions, employment security department appropriation: SB 4946
- Minors, under 14, judicial permission requirement, repealed: HB 1058, SB 4575
- Occupational information service, employment security department, designated agency, conditions specified: SB 4628, *Sub HB 920, CH 43 (1982)
- Public assistance, employment, training services, DSHS, provision authorized: SB 4962
- Reduced worktime program act: SB 4849

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

EMPLOYMENT—cont.

- Reemployment formula, public employees, development required, performance, seniority provisions, nonappealable beyond agency: Sub HB 763
- Shared work, unemployment compensation benefits, payment authorized, as specified: SB 4745
- Shared work, unemployment insurance program, established, employment security department, conditions specified, federal conflicts provision: SB 4593
- State parks, rangers, entry level, probationary requirements revised: *SB 4307, CH 79 (1982)
- State patrol, conviction records release, fees provisions, liability exemption, rules adoption requirement: *Sub SB 4775, CH 202 (1982)
- Timber contracts, existing, as specified, extension provisions, interest rate set, St Helens damaged timber excluded: Sub SB 4663, SB 4945
- Timber contracts, existing sales, as specified, extension permitted: SB 4788
- Timber contracts, forest products industry employment recovery act, enacted: SB 4711
- Timber sales, procedures, modifications, DNR, directed: *HCR 42 (1982)
- Unemployment compensation, joint committee, created, responsibilities, report, members, termination: SB 4596
- Unemployment insurance shared work program, established: SB 4593
- Vocational rehabilitation, workers' compensation provisions modified, rehabilitation review division created: HB 454, SB 3902
- Vocational rehabilitation, workers' compensation provisions modified, rehabilitation review office created, appropriation: *HB 454, CH 63 (1982)
- Washington works year, 1982, established: SCR 133
- Workers' compensation vocational rehabilitation reform act: HB 454, SB 3902
- Youth service corps: SB 3389, SB 4595
- Youth services corps, employment security department, established, conditions specified, appropriation: SB 4595

EMPLOYMENT AGENCIES

- Employment agency advisory committee, abolished, functions transferred, licensing department: *Sub HB 778, CH 227 (1982)
- Retaliation, persons reporting violations of law, prohibited: SB 4514

EMPLOYMENT SECURITY, DEPARTMENT OF (See also UNEMPLOYMENT COMPENSATION BENEFITS)

- AFDC recipients, able, as defined, community work experience projects, participation required: SB 4699
- Commissioner, unemployment compensation decisions, appeal tribunal proceedings: HB 1033, SB 4661, *Sub SB 4216, CH 18 E1 (1982)
- Community economic revitalization board, created, powers, duties, revolving fund, termination: SB 4622, *2nd Sub HB 906, CH 40 E1 (1982)
- Community work experience projects, establishment provisions, AFDC recipients, participation required: SB 4699
- Displaced homemaker program, agency services description, dissolution fee collection: HB 286
- Displaced homemaker program, agency services description, marriage license fee, additional imposed, postsecondary education council appropriation: *HB 286, CH 15 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

EMPLOYMENT SECURITY, DEPARTMENT OF—cont.

- Employment service program, appropriation: SB 4594, *SB 4919, CH 59 (1982)
- High unemployment areas, definition requirement, businesses, B&O tax credit purposes: SB 4870
- Information processing, hardware, software, acquisition, data processing authority approval required: *SB 4919, CH 59 (1982)
- Job service program, reemployment provisions, special account of administrative contingency fund established, contributions, distribution specified, appropriation: SB 4946
- Occupational information service, designated agency, conditions specified: SB 4628, *Sub HB 920, CH 43 (1982)
- Shared work unemployment insurance program, established, conditions specified, federal conflicts provision: SB 4593
- State advisory council on unemployment compensation, public members, unemployment compensation nonentitlement, restriction removed: HB 1033, SB 4661, *Sub SB 4216, CH 18 E1 (1982)
- Unemployment insurance program, productivity improvements, essential services maintenance, appropriation: *SB 4919, CH 59 (1982)
- Wages, paid certain employees, B&O tax credit granted: SB 4592
- Youth service corps: SB 3389, SB 4595

ENDANGERED SPECIES

- Big game, endangered species, subsequent game law violations, felony prosecution, penalty provisions, property disposal: *Sub HB 834, CH 31 (1982)

ENDOWMENTS

- Life insurance, standard valuation law, outstanding policies annuities, pure endowment contracts, valuation prescribed, nonforfeiture regulated, filing fees: SB 4201, *Sub SB 4201, CH 9 E1 (1982)

ENERGY CONSERVATION AND ENERGY RENEWABLE**RESOURCES** (See also ENERGY FAIR '83)

- Buildings, publicly owned, leased, design, renewable energy systems consideration: *SB 3156, CH 159 (1982)
- Coal slurry pipelines, certain, EFSEC authority: SB 4508
- Cogeneration facilities, tax credit increased: *SB 3394, CH 2 E1 (1982)
- Cogeneration facilities, tax credit limitation provisions: SB 4607
- Conservation and small scale renewable energy development revolving fund, established, constitutional contingency: SB 3287, Sub SB 3287
- Earth-sheltered construction, joint select committee establishment, members, purposes, report: SCR 112
- Electrical transmission lines, certain, EFSEC authority: SB 4508
- Energy allowance, public assistance: *HB 980, CH 127 (1982)
- Energy conservation and development commission, established, energy office, EFSEC abolished: SB 4844
- Facilities, state, energy audits, conditions specified, GA departmental duties: *2nd Sub HB 658, CH 48 (1982)
- Irrigation districts, residential structures, financial assistance: SB 3059, *HB 832, CH 42 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

ENERGY CONSERVATION AND ENERGY RENEWABLE**RESOURCES—cont.**

- Lighting, thermal standards, energy efficient, commercial, residential buildings, building code in effect: SB 3310, SB 4113
- Loans, state, local governments, authorized: SJR 111, Sub SJR 111, 2nd Sub SJR 111
- McNeil Island correctional facility, energy audit required: *Sub HB 808, CH 23 E1 (1982)
- Oil and gas conservation committee, powers, duties revised, oil and gas definitions, regulations revised: SB 4944
- Oil and gas conservation committee, powers, duties revised, oil and gas definitions, regulations revised, severance tax imposed, revolving account created: Sub SB 4944
- Oil and gas severance and conservation tax act: SB 4458
- Oil recycling programs: SB 4686
- School facilities, existing, energy conservation program, SPI, energy office, ESD's cooperation, conditions specified, funds use, rules, appropriation: Sub SB 3277
- Schools facilities, existing, inventory, energy efficiency, safety audit provisions: SB 3277
- Speed limit, maximum, national, if repealed, state authority, energy conservation purposes, termination provision: HB 576
- Water heaters, thermostats, temperature setting requirements: Sub HB 973, SB 4904

ENERGY FACILITIES AND ENERGY FACILITY SITE EVALUATION COUNCIL

- Abolished, energy conservation and development commission, established, conditions specified: SB 4844
- Coal slurry pipelines, certain, authority: SB 4508
- Cogeneration facilities, tax credit increased: *SB 3394, CH 2 E1 (1982)
- Cogeneration facilities, tax credit limitation provisions: SB 4607
- Electrical transmission lines, certain, authority: SB 4508
- Energy conservation and development commission, established, conditions specified, energy office, EFSEC abolished: SB 4844
- Powers, duties, membership, fees, intervenors, revisions: SB 4508
- Sales, use taxes, local, taxpayers, prepayment authorized, use provisions: Sub HB 1140, SB 4859, *Sub SB 4859, CH 211 (1982)

ENERGY FAIR '83

- Appropriation, OFM, general fund reversion, Benton/Franklin counties matching funds failure provision, date delayed: SB 4641
- Appropriation, OFM, granted, general fund reversion, Benton/Franklin counties matching funds failure provision deleted: Sub SB 4264, *Sub SB 4369, CH 50 E1 (1982)

ENERGY OFFICE, STATE (See also ENERGY FAIR '83)

- Abolished, energy conservation and development commission, established, conditions specified: SB 4844

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

ENERGY OFFICE, STATE—cont.

- Conservation and small scale renewable energy development, advisory committee appointment, fund established, bonds authorized, constitutional contingency: SB 3287, Sub SB 3287
- Energy conservation and development commission, established, energy office, EFSEC abolished: SB 4844
- Geothermal account, created, expenditures, distribution, state treasurer, statutory requirements: Sub SB 3779
- Geothermal development account, created, geothermal energy development, encouragement use authorized: SB 3779
- John Wayne trail select committee, establishment, members, duties, agency cooperation: SCR 143
- Milwaukee road select committee, establishment, members, duties, agency cooperation: *SCR 143 E1 (1982)
- Oil recycling programs: SB 4686
- School facilities, existing, energy conservation program, SPI, energy office, ESD's cooperation, conditions specified, funds use, rules, appropriation: Sub SB 3277

ENGINEERS AND ENGINEERING

- Construction equipment operator safety licensing act, advisory board, operating engineer certificate fund, created, appropriation: SB 4857
- County road, expenditure records, requirements revised: SB 4690
- County road, supervision, private construction, required: *SB 4690, CH 145 (1982)
- Professional engineers, land surveyors, registration board, disciplinary powers, maximum fine: *HB 442, CH 37 (1982)
- Public works contracts, architectural, engineering consulting services, notices, procedures, personal service contracts: SB 4200

ENTERPRISE ZONE ACT

- Passage petitioned: HJM 22

ENVIRONMENT (See also ECOLOGY, DEPARTMENT OF; POLLUTION CONTROL; WASTE DISPOSAL)

- Cities, incorporation proceedings, SEPA exemption: *SB 3446, CH 220 (1982)
- Containers, beverage, pull-tab, sales prohibited, violations, ecology department enforcement, rules adoption: *Sub HB 448, CH 113 (1982)
- Environmental coordination procedures act, permit processes: Sub HB 634
- Environmental coordination procedures act, permits, approval, time limits set: *HB 859, CH 179 (1982)
- Forest practices, class I, II, III, not subject SEPA EIS requirements: Sub SB 3725
- Forest practices, class I, II, III, not subject SEPA EIS requirements, termination date established: Sub SB 3725,
- Forest practices, class IV, DNR evaluation, EIS purposes: Sub SB 3725
- Forest practices, class IV, DNR evaluation, EIS purposes, termination date established: Sub SB 3725
- Forest practices, licenses, certain, local government, EIS responsibility: Sub SB 3725

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

ENVIRONMENT—cont.

- Forest practices, licenses, certain, local government, EIS responsibility, termination date established: Sub SB 3725
- St Helens, recovery operations, SEPA exemption: SB 4510, *Sub SB 4510, CH 7 (1982)
- Substantial development permits, ECPA permit definition exclusion: Sub HB 634
- Trees, unauthorized destruction, penalty repealed: *Sub HB 135, CH 28 (1982)

ENVIRONMENTAL IMPACT STATEMENTS (See also ECONOMIC IMPACT STATEMENTS)

- Actions, based on SEPA, required, plaintiffs, court requirement: SB 4386
- Cities, incorporation proceedings, SEPA exemption: *SB 3446, CH 220 (1982)
- Forest practices, class I, II, III, not subject SEPA EIS requirements: Sub SB 3725
- Forest practices, class I, II, III, not subject SEPA EIS requirements, termination date established: Sub SB 3725
- Forest practices, class IV, DNR evaluation, EIS purposes: Sub SB 3725
- Forest practices, class IV, DNR evaluation, EIS purposes, termination date established: Sub SB 3725
- Forest practices, licenses, certain, local government, EIS responsibility: Sub SB 3725
- Forest practices, licenses, certain, local government, EIS responsibility, termination date established: Sub SB 3725
- Pesticides, chlorinated hydrocarbons, use, required: SB 4918
- Schools, closures, exemption, public hearing requirement: Sub HB 849

EQUIPMENT COMMISSION AND EQUIPMENT

- Bids, counties, equipment purchases, minimum requirements increased: *SB 4690, CH 145 (1982)
- Child safety restraints, standards adoption, parent use requirements, violations, fines, noncompliance provisions: Sub HB 288, Sub SB 3252, SB 4548
- Construction equipment operator safety licensing act, enacted, advisory board, operating engineer certificate fund, created, appropriation: SB 4857
- Joint operating agencies, materials, equipment, supplies, work procurement, requirements revised: Sub HB 1053, *SB 4995, CH 44 E1 (1982)
- Lights, other than red, law enforcement vehicles, use designation authority: SB 4826
- Lights, sirens, law enforcement vehicles, use designation authority: *Sub SB 4826, CH 101 (1982)
- Medical, electrical installation provisions: SB 3194
- Motorcycles, requirements, exemptions, helmet sales, goggles, glasses, shields wearing, license endorsements: Sub SB 3381, SB 4692, *Sub SB 4692, CH 77 (1982)
- School districts, surplus property, disposition requirements prescribed, private school rights provision: SB 3753, Sub SB 3753
- State patrol chief absence, vice-chairman, licensing director or transportation secretary appointment required: SB 4551
- State patrol chief absence, vice-chairman, licensing director or transportation secretary or designated deputies appointment required: *SB 4551, CH 106 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

ERICKSON, LARRY V.

Member, corrections standards board, GA 490, confirmed 8,530,865

ESTATES

Probate, informal, authorized, conditions specified: SB 4722
 Wills, validity determination, prior to death of testator, authorized: SB 4710

ESTIMATES

Automotive repairs, regulations revised, customers' rights, licensing, revenue departments appropriations: *HB 375, CH 62 (1982)

EVANS, BEN

Former superintendent Seattle parks department honored 339

EVERETT COMMUNITY COLLEGE DISTRICT NO. 5, BOARD OF TRUSTEES

Cooley, Jean, member: GA 532, confirmed 19,476,876
 Rice, Kenneth B, member: GA 575, 516, resigned appointment 644
 Weis, Nancy L, member: GA 533, confirmed 20,531,876
 Yates, H Roy, member: GA 534, confirmed 20,609,876

EVIDENCE

Child safety restraints, standards adoption, parent use requirements, violations, fines, noncompliance provisions: Sub HB 288, Sub SB 3252, SB 4548
 Defendant, civil actions, not to be found in county, prima facie evidence, not to be found in state, provision deleted: SB 3715
 Industrial insurance, appeals, transcripts, evidentiary rules, appeals board members' experience, knowledge, decision reversal provisions: SB 4767
 Sexual abuse, children, actions, time limits, rules of evidence, modified: SB 4461, *Sub SB 4461, CH 129 (1982)

EXAMINATIONS

Audits, public agencies, as specified, private accounting firms, use permitted, competitive bid requirement, limitations, examinations, fees: Sub HB 857
 Barbers, manager-operator license holders, requirements: SB 4614
 Emission, used vehicles, sold by dealers, exemption: HB 915
 Eye, optometrists, conditions requiring medical doctor referral, prescribed, optometry board rules adoption authority: SB 4500
 Health maintenance organizations, financial procedures, funded reserves, surety bond requirements revised: *SB 4701, CH 151 (1982)
 Insurance commissioner, examiners' expenses, OFM schedule establishment: SB 3181
 Insurance, examining bureaus, licensed, organization, operation permitted: HB 230
 Insurers, domestic, schedule revised: *Sub HB 902, CH 181 (1982)
 Standardized student testing program, grade 4, not required, 1981-83 biennium: Sub HB 770
 Standardized student testing program, statutory authority removed: Sub HB 770
 Teachers, accreditation, renewal requirements, education board duties: SB 4843

EXECUTIVE BRANCH

Officials, retirement allowance computation revised: SB 4820, SB 4949
 Reorganization facilitation: SJR 139, Sub SJR 139

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

EXEMPTIONS (See also TAXES – EXEMPTIONS)

- Administrative hearings office purview, personnel appeals board, UTC transportation tariff docket hearings exclusion: *HB 907, CH 189 (1982)
- Cattle assessments, increased, exemption provision: *HB 947, CH 47 (1982)
- Cemetery districts, commissioners, public disclosure exemption: SB 3562
- Electrical distribution and generating systems, certain, first class cities, bid exemption deleted: SB 4714
- Electric rate structures, inverted, required, UTC responsibilities, certain locally regulated utilities exempt: SB 4616
- Irrigation districts, real property recovery, statutory limitations exemption: Sub HB 932
- Library records, public disclosure requirements: *Sub HB 476, CH 64 (1982)
- LID's, special benefit assessments, residence located within utility LID primarily for industrial purposes, exemption, user fee provision: SB 4462
- Logging road, as defined, SMA substantial development permit exemption: Sub SB 3728
- Port districts, land sold, five-year short plat restriction exemption: SB 4746
- Prisoners, transferred outside state, personal security purposes, notice of transfer requirement exemption: SB 3424
- Public disclosure requirements, certain small jurisdictions, cemetery district electors, commissioners: *Sub HB 40, CH 60 (1982)
- St Helens, recovery operations, SEPA, SMA, diking, drainage, water, flood control, food fish protection requirements: *Sub SB 4510, CH 7 (1982)
- Workshops, seminars, educational services registration act, exempt, as specified: Sub SB 4061

EXPLOSIVES

- Sales, gift, disposal, delivery, persons under eighteen, unlawful, use provision, employment exemption specified: HB 22
- Sales, gift, disposal, delivery, persons under eighteen, unlawful, use provision: HB 22
- Sales, minors, prohibited, small arms ammunition, hand loader components excluded: *HB 22, CH 111 (1982)

EXPO '86 – BRITISH COLUMBIA

- Committee, joint select, established, members, duties: *SCR 138 E1 (1982)

EXPORTS

- Export assistance centers, establishment provisions, nonprofit corporation formation, commerce and economic department rules adoption, appropriation: Sub HB 1141
- State trade fair fund, surplus funds, CED director, foreign trade related activities, expenditure authority: SB 4385, *HB 780, CH 2 E2 (1981)
- State trade fair fund, surplus funds, use, foreign countries, matching requirements: HB 780
- Trade agreements, far east nations, appropriate negotiations: *HJM 14 (1982)
- Wineries, domestic, manufacture, retail, wholesale, export sales allowed: SB 4747
- Wineries, domestic, wholesale, retail class J licenses provision, compliance requirement: Sub SB 4747

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

EXPORTS—cont.

Wineries, domestic, wholesale, retail class J licenses provision: *Sub HB 1063, CH 85 (1982)

EXTORTION

Habitual criminal status, redefined: HB 569

EXTRADITION

Escaped prisoners, detention pending extradition authorized: HB 970, SB 4779

EYES AND EYEGASSES

Examinations, optometrists, conditions requiring medical doctor referral prescribed, optometry board rules adoption authority: SB 4500

Pharmaceutical agents, optometry use regulated: SB 3040

FACTORY BUILT STRUCTURES

Contractors, registration provisions inclusion: Sub SB 4631

FACULTY - COLLEGES AND UNIVERSITIES

Community colleges, financial emergencies, community college education board determination, RIF procedures prescribed, rights, hearing provision: *Sub HB 782, CH 13 E2 (1981)

FAIRS AND EXPOSITIONS

Energy fair '83, OFM, appropriation, general fund reversion, Benton/Franklin counties matching funds failure provision, date delayed: SB 4641

Energy fair '83, OFM appropriation, granted, general fund reversion, Benton/Franklin counties matching funds failure provision deleted: Sub SB 4264, *Sub SB 4369, CH 50 E1 (1982)

Expo '86, joint select committee, established, members, duties, British Columbia exposition: *SCR 138 E1 (1982)

FAMILIES (See also CHILDREN; FAMILY COURT)

AFDC recipients, able, work requirement: SB 4699

Child abuse and neglect council, established, community-based educational & other programs, marriage license fee increased, report, termination, governor appropriation: *3rd Sub HB 179 CH 4 (1982)

Child abuse, redefined, shelter care requirements, detention provisions: Sub HB 1048, *Sub SB 4461, CH 129 (1982)

Children and families division, DSHS, plans development, legislative submission schedule prescribed, services consolidation purposes: SB 4851

Incest, felonious acts specified: Sub HB 1048, *Sub SB 4461, CH 129 (1982)

FAMILY COURTS

Children, joint custody, conditions prescribed: Sub HB 905, SB 3246, Sub SB 3246, SB 4509

FARLAND, KENNETH A.

Member, board of trustees, Lower Columbia community college district 13, GA 564, confirmed 390,531,885

FARMERS AND FARMING (See also AGRICULTURE AND MARKETING; LIVESTOCK; PESTICIDES)

Farm labor contractors, licensing provisions repealed: HB 1058, SB 4574

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

FAULK, LAWRENCE J.

Member, board of trustees, Tacoma community college
 district 22, GA 484, confirmed (1981), 418,864

FEDERAL GOVERNMENT (See also MEMORIALS)

Congressional redistricting, districts specified: Sub HB 787
 Federal-aid apportionments, payments in advance, as specified: SB 4469
 Federal reserve act, repeal petitioned: SJM 121
 McNeil Island, permanent correctional site, acquisition petitioned: SCR 144

FEDERAL LAND AND WATER CONSERVATION FUND

Apportionments authorization petitioned: SJM 120

FEDERAL RESERVE BOARD

Audit, independent, requirement, U.S. supreme court, action, state, intent
 declared: *SCR 127 (1982)
 Federal reserve act, repeal petitioned: SJM 121
 Money, power to create, delegation, challenge, U.S. supreme court, action, state,
 intent declared: *SCR 127 (1982)

FEED

Commercial feed act, definitions revised, registration revisions, fees, reports, feed
 analysis reports, withdrawal from distribution provisions: *Sub HB 1131, CH
 177 (1982)

Pet, commercial feed act, revisions: *Sub HB 1131, CH 177 (1982)

FEEES (See also TUITION AND FEES - HIGHER EDUCATION;**FEES - ATTORNEYS)**

Apprenticeship programs, L&I, establishment authorized: *HB 796, CH 39 E1
 (1982)
 Archaeology and historic preservation office, consulting fees, dig permit fees,
 authorized: HB 960, SB 4565
 Attorneys, supreme court, courts of appeals, official services, increased: Sub SB
 3110
 Audits, public agencies, as specified, private accounting firms, use permitted,
 competitive bid requirement, limitations, examinations, fees: Sub HB 857
 Candidates, indigent, filing: SB 4472, Sub SB 4472
 Civil actions, prevailing parties, expense award provision: SB 3112
 Collective bargaining, education employees, nonmembers, representation fee pay-
 ment, as defined, processing costs allowed: SB 4420
 Collective bargaining, education employees, nonmembers, representation fee pay-
 ment, certain, deduction authority removed: SB 4440
 Collective bargaining, education employees, nonmembers, representation fee pay-
 ment, required, conditions specified: Sub SB 4440
 County auditors, collection fee, motor vehicle use tax, increased: Sub SB 3044
 County auditors, collection fee, motor vehicle use tax, revenue department setting
 authorized: SB 3044
 County treasurers, investment service, minimum charge deleted: SB 4505, Sub
 SB 4505
 County treasurers, investment service, minimum charge deleted, \$5 or less fee,
 waiver allowed: *Sub SB 4505, CH 73 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

FEES—cont.

- Court of appeals, fees, allowable costs, increased: Sub SB 3110
- Credit cards, issued by financial institutions, limitation specified: Sub SB 4536
- Credit cards, use, payment, local, state agencies, authorized: SB 4364
- Electrical inspection, cities, towns, use restriction specified: HB 1178
- Examinations, banking supervisor, fee schedule establishment conditions: HB 935, SB 4828
- Excise tax registration certificate, nonrefundable deposit removed, fee established: *HB 765, CH 4 E1 (1982)
- Financial responsibility requirements: Sub HB 759, *Sub SB 4418, CH 201 (1982)
- Harbor areas, rental, increase rate established: SB 3567
- Horse races, horse owners, trainers, jockeys, fees, certain, horse racing commission, setting authorized, administrative costs, time limitation: *Sub SB 4708, CH 32 (1982)
- Horse races, horse owners, trainers, jockeys, fees, certain, horse racing commission, setting authorized: HB 631, SB 4708, Sub SB 4708
- Horses, identification symbols, necessary rules adoption, APA, required: Sub SB 3545
- Horses, symbols, permanent, registering agency, brand inspection, stolen horse impoundment: Sub SB 3545
- Insurance commissioner, legal processes, increased: SB 3182
- Insurance, standard valuation law, filing fees provisions: *Sub SB 4201, CH 9 E1 (1982)
- Jury trial, civil action, demand, filing fee increased, conditions specified: SB 4774
- Licenses, business, professional, authorized limits revised: SB 4561, *Sub SB 4561, CH 162 (1982)
- L&I, prevailing wage law administration, user fees established: *HB 795, CH 38 E1 (1982)
- L&I, prevailing wage, minor work permit laws administration, established: HB 795
- Liquor license, class P, established: *Sub HB 1063, CH 85 (1982)
- Maps, surveys, DNR, authorized: *Sub HB 1012, CH 165 (1982)
- Marriage license, additional imposed, termination set, child abuse and neglect council: *3rd Sub HB 179, CH 4 (1982)
- Marriage license, additional imposed, termination set, displaced homemaker program: *HB 286, CH 15 E1 (1982)
- Motor vehicles, propane, natural gas, use, license fee in lieu of special fuel tax, continued: HB 1002
- Mountain goats, sheep, game license fees increased, payment requirements: SB 4726
- Mountain sheep, tag fees, increased, nontransferable, refund provision: SB 3884
- Navigation projects, federal, full funding maintenance petitioned, user fees imposition opposed: *SJM 115 E1 (1982)
- Nonprofit arts organizations, as defined, class L liquor license, established, fee imposed: HB 342
- Notaries public, increased: SB 4552
- Proportional registration, procedures established, when state becomes member of international registration plan: Sub SB 3993

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

FEES—cont.

- Public service companies, fees, licenses, certain, prohibitions specified, temporary continuation provision: *SB 4972, CH 49 E1 (1982)
- Reforestation lands, declassified, conditions specified, owners' removal provisions, county assessor requirements: SB 4487
- Sales tax, exemption permits, collection fees, increased, nonresident permits tax gain study directed: *Sub HB 840, CH 5 E1 (1982)
- Secretary of state, filing procedures, fee schedules, administrative requirements revised, authenticating officers, appointment authorized: SB 4572, SB 4716, *Sub SB 4716, CH 35 (1982)
- Snowmobile registration, increased: *HB 896, CH 17 (1982)
- Social and health services financial responsibility act: Sub HB 759
- State parks, selected, boat moorage fee program, establishment, parks and recreation commission appropriation: HB 865, SB 4485, *Sub SB 4369, CH 50 E1 (1982)
- State patrol, conviction records release, fees provisions, liability exemption, rules adoption requirement: *Sub SB 4775, CH 202 (1982)
- Supreme court, fees, allowable costs, increased: Sub SB 3110
- Trade names, registration required, conditions specified, fees, licensing department director rules adoption, appropriation: SB 4528
- UCC, secure transactions, financing statements, amendments, certificates, fees, filing officer's duties, modified, licensing department appropriation: *HB 822, CH 186 (1982)
- Writs, certain, increased: SB 4774

FEES - ATTORNEYS (See also ATTORNEYS)

- Automotive repairs, regulations revised, customers' rights, licensing, revenue departments appropriations: *HB 375, CH 62 (1982)
- Civil actions, prevailing parties, increased: Sub SB 3110
- Industrial insurance, self-insurers, L&I, proceedings provision: SB 4649, *HB 454, CH 63 (1982)
- Justice of peace jurisdiction, certain, prohibition removed: SB 3114
- Malicious prosecution, grounds revised, damages, attorneys fees: HB 563
- Mortgages, satisfaction, reasonable allowed: SB 4517
- Payment excused, certain circumstances: SB 3114
- Prevailing parties, certain actions: SB 3114
- Supreme court, court of appeals, official services, increased: Sub SB 3110

FELONS AND FELONIES (See also CRIMES AND CRIMINAL PROCEDURES)

- Checks, unlawfully issued, considered class C felony, dollar amount increased: SB 4366
- Controlled substances, imitation, defined, felonies, misdemeanors specified, regulation necessity, advertising, other provisions: Sub HB 820
- Crime victims, criminals, restitution required, conditions specified: SB 4600
- Custodial interference, defined, class C felony: SB 4509, SB 4521
- Firearms, dangerous weapons, school premises, prohibited, violation, class C felony, exemptions: Sub HB 898, SB 4639

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

FELONS AND FELONIES—cont.

- Game laws, big game, endangered species, subsequent game law violations, felony prosecution, penalty provisions, property disposal: *Sub HB 834, CH 31 (1982)
- Incest, acts specified: Sub HB 1048, *Sub SB 4461, CH 129 (1982)
- Insanity, reason for acquittal, considered dangerous, hospitalization, appropriate alternative treatment, court must order: HB 494
- Insurance, licensees, felony convictions, license revocation provision: *Sub HB 902, CH 181, (1982)
- Legislators, felony conviction, salary terminated, restoration provisions: SB 3864
- Look-a-like drugs, imitation drugs defined, felonies, misdemeanors specified, regulation necessity, advertising, other provisions: Sub HB 820
- Prostitution, prostitute under 18, customer 18 or over, class C felony: Sub HB 293
- Sales tax, collected moneys, illegal uses, false tax returns, felony provisions: SB 4604
- Threats, as specified, governor, immediate family, governor-elect, lieutenant governor, successors, class C felony, WSP investigation: *HB 745, CH 185 (1982)

FERRIES AND FERRY SYSTEM (See also TRANSPORTATION, DEPARTMENT OF)

- Employees, labor relations provisions revised, marine employees' commission created: SB 4609, Sub SB 4609
- Historic, disposition regulated: *SB 4956, CH 210 (1982)
- Puget Sound ferry operations, funding repealed, account abolished: SB 4657

FERRY COUNTY

- Judicial district, new position, one-half salary payment requirement: *Sub SB 4449, CH 139 (1982)

FETUS

- Born alive during abortion procedure, immediate medical treatment required: SB 3370

FILMS

- Pornography, moral nuisances, defined, enforcement authority: *Sub HB 626, CH 184 (1982)
- X-rated materials, sales tax, 20% of retail sales price, imposed: SB 4598

FINANCIAL INSTITUTIONS (See also BANKS AND BANKING; CREDIT UNIONS; MUTUAL SAVINGS BANKS; SAVINGS AND LOAN ASSOCIATIONS)

- Alcohol beverage business, banks, savings and loan associations, institutional investors, financial interest, allowed: SB 4729, *Sub HB 1063, CH 85 (1982)
- Alcohol beverage business, banks, savings and loan associations, state, federal mutual savings banks, institutional investors, financial interest, as specified, allowed: SB 4729
- Alien banks, powers, regulation: *Sub SB 4115, CH 95 (1982)
- Banks, reorganization into bank holding companies: *Sub HB 936, CH 196 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

FINANCIAL INSTITUTIONS—cont.

- Banks, trust companies, investments, production credit associations, federal intermedite credit banks, federal land banks, stock, participation certificates, authorized: *HB 1074, CH 86 (1982)
- BIDCO, business and industrial development corporations act, enacted: Sub HB 977
- B&O tax, gross receipts, deduction, international banking facility, conditions prescribed: SB 4115
- Branch banks, deposits, international banking facilities, certain, exemption: SB 4115
- Business and industrial development corporations act, banking supervisor administration: Sub HB 977
- Checks, unlawfully issued, payment time period reduced: *SB 4366, CH 138 (1982)
- Committee, joint, created, current regulation examination specified, termination: *Sub HB 833, CH 3 (1982)
- Credit cards, interest rate limitation, maximum fee specified: Sub SB 4536
- Credit cards, state use authorized, general administration director rules adoption: *SB 4705, CH 45 E1 (1982)
- Credit cards, use, payment, taxes, fines, fees, state, local agencies authorized: SB 4364
- Credit unions, interest rates, loans, deposits, management revisions: SB 3151
- Credit unions, share guaranty associations, contingency reserves, revisions: SB 4827, *HB 934, CH 67 (1982)
- Examinations, banking supervisor, fee schedule establishment conditions: HB 935, SB 4828
- International banking facilities, gross receipts, B&O tax exemption: *Sub SB 4115, CH 95 (1982)
- Mutual savings banks, interest, dividends, payments from guaranty funds, as specified: *Sub SB 3679 CH 5 (1982)
- Savings and loan associations, domestic, conversion, federal mutual savings banks, authorized: SB 4567
- Savings and loan associations, foreign, domestic, association formation authorized, operating provisions: SB 4567
- Savings and loan associations, provisions modified: SB 4662, *Sub HB 833, CH 3 (1982)
- Small business equity corporation act: SB 4876
- Small business investment act: SB 4874
- Social and health services financial responsibility act: Sub HB 759
- Unclaimed property, disposition, time period reduced: *Sub HB 766, CH 1 E2 (1981)
- Unclaimed property, uniform act, enacted: Sub HB 1128, SB 4391
- Workers compensation benefits, direct deposits authorized: *SB 4947, CH 109 (1982)

FINANCIAL MANAGEMENT, OFFICE OF (See also STATE FINANCE COMMITTEE – BONDS)

- Administrative hearings revolving fund, created: SB 4832, *HB 907, CH 189 (1982)

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) . . . Passed during 1981 Second Special Session.
- E1 (1982) . . . Passed during 1982 First Special Session.
- E2 (1982) . . . Passed during 1982 Second Special Session.

FINANCIAL MANAGEMENT, OFFICE OF—cont.

- Appropriations, state agencies, modified: Sub SB 4264, *Sub SB 4369, CH 50 E1 (1982)
- Appropriations, state agencies, reduced: *Sub HB 811, CH 14 E2 (1981)
- Budget, operating, 1981–83 biennium, modified: Sub SB 4264, Sub SB 4374, SB 4384, *Sub SB 4369, CH 50 E1 (1982)
- Budget, operating, 1981–83 biennium, reduced: *Sub HB 811, CH 14 E2 (1981)
- Budget, supplemental, 1981–83 biennium, OFM request, adopted: SB 4709
- Cities, towns, consolidations, annexations, population certification authority, transferred from planning and community affairs agency: SB 3647
- Court congestion reduction act, enacted, court facilities, construction, improvement, general obligation bonds issuance, court construction account created: Sub SB 3110
- Ecology department, abolished, functions, property transferred natural resources department: SB 4379
- Energy fair '83, appropriation, general fund reversion, Benton/Franklin counties matching funds failure provision, date delayed: SB 4641
- Energy fair '83, appropriation, granted, general fund reversion, Benton/Franklin counties matching funds failure provision deleted: Sub SB 4264, *Sub SB 4369, CH 50 E1 (1982)
- Funds, public, cash flow, estimates, management, designated, rules adoption authority: SB 4380, *Sub HB 773, CH 4 E2 (1981)
- Hiring freeze, implementation, (vetoed): 2nd Sub HB 124, Sub HB 1226
- Hiring policies, state agencies, higher education, declared, reports to OFM required (vetoed): 2nd Sub HB 124, Sub HB 1226
- Land, public, owned or controlled by state agencies, resources, inventory maintenance, procedures, establishment required: SB 3647
- LEAA carry forward funds, appropriation specified, sec 21: Sub SB 4264, *Sub SB 4369, CH 50 E1 (1982)
- Lobbying activities, state government, expenditures, prior approval required: SB 4850
- Natural resources account, created, deposits, disbursements: SB 4112
- Occupational information service, employment security department, designated agency, conditions specified: SB 4628, *Sub HB 920, CH 43 (1982)
- PERS, allowances, deductions, payment group insurance premiums, permitted, OFM policy approval: Sub HB 733
- Public works, domestic wood products, purchase required, OFM rules adoption, exemptions: SB 4823
- Recreation guide, comparison other state agency publications, OFM, directed, legislative report: SB 3915
- Rehabilitation review office, performance audit, appropriation: SB 3902, *HB 454, CH 63 (1982)
- Retirement contributions, appropriation: SB 4424
- Retirement, early, public systems, study requirements: *2nd Sub HB 124, CH 54 E1 (1982)
- Scenically fragile lands, public lands commissioner acquisition directed, conditions prescribed, survey, criteria, bonds authorized, referendum provision: SB 3719, Sub SB 3719, 2nd Sub SB 3719

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

FINANCIAL MANAGEMENT, OFFICE OF—cont.

TRS, allowances, deductions, payment, group insurance premiums, permitted,
OFM policy approval: Sub HB 733

FINANCIAL RESPONSIBILITY

Social and health services financial responsibility act: Sub HB 759

FINES

Air pollution, violations, maximum increased: SB 4835

Bad checks, penalties prescribed: *SB 4366, CH 138 (1982)

Credit cards, use, payment, local, state agencies, authorized: SB 4364

Debts, public, collection agencies, governmental agencies, use permitted: *HB
844, CH 65 (1982)

Engineers, surveyors, board, maximum fine specified: *HB 442, CH 37 (1982)

Justice courts, jurisdiction, increased: *SB 4493, CH 150 (1982)

Parking, violations, unpaid, vehicle license renewal, prohibited, payment condi-
tions prescribed: *Sub HB 268, CH 14 E1 (1982)

Prisoners, county, fine reduction rate, county establishment, permitted: SB 3301

Snowmobiles, decal, failure to show, increased: *HB 896, CH 17 (1982)

FIREARMS

Habitual criminal status, redefined: HB 569

Pistol regulations, prescribed, vote of the people required: SB 4923

Pistols, concealed, license requirements, abode, business, vehicle provisions: SB
4470, *HB 600, CH 47 E1 (1982)

School premises, prohibited, students under 21, violation, gross misdemeanor,
exemptions: *HB 600, CH 47 E1 (1982)

Schools, premises, prohibited, violation, class C felony, exemptions: Sub HB 898,
SB 4639

FIRE FIGHTERS

Accidents, motor vehicles, official business, employment driving record, report
requirement: *SB 3233, CH 52 (1982)

LEOFF, county disability board, membership defined: *SB 4635 CH 12 (1982)

FIRE MARSHAL, STATE

Arson fraud division, created, fire marshal investigative duties, arson fraud divi-
sion operating account, created: Sub SB 3366

Fire insurance policies, high risk areas, anti-arson applications, cancellation
requirements: *SB 3297, CH 110 (1982)

Fire protection board established, members, responsibilities, fire marshal duties
transferred, board appropriation: SB 3296, Sub SB 3296

Fire protection board established, members, responsibilities, fire marshal duties
transferred, board: 2nd Sub SB 3296

Fireworks, definitions, sales prohibitions, surety bond, license, permit, public dis-
play, requirements revised, cities, counties, permit fees establishment: *Sub
HB 1149, CH 230 (1982)

Fireworks, definitions, sales prohibitions, surety bond, license, permit, public dis-
play, requirements revised: SB 4597, Sub SB 4597

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

FIRE MARSHAL, STATE—cont.

Fireworks, research, amateur, pyrotechnics, special effects personnel use, regulations adoptions, definitions, revised, permit requirement before licensing: SB 3341

Fraud and arson bureau, insurance commissioner's office, created: SB 3366

FIRE MARSHALS, LOCAL

City fire chiefs, fires investigation, police powers granted: Sub SB 3366, 2nd Sub SB 3366

County fire marshal, authorized representative, fires, unincorporated areas, or cities as defined, investigation, police powers granted: Sub SB 3366, 2nd Sub SB 3366

Day care homes, private family, regulated, registration, fire, health inspections, certification limitation: SB 4434

Day care homes, private family, regulated, registration, fire, health inspections: SB 3007

FIRE PROTECTION DISTRICTS

Annexation, contiguous property subject to leasehold excise tax, authorized, conditions specified: Sub SB 3512

Audits, private accounting firms, use permitted, competitive bid requirement: Sub HB 857

Audits, private accounting firms, use permitted, competitive bid requirement, limitations, examinations, fees: Sub HB 857

Bids, minimum requirement increased, fire station, other building improvements, certain bid requirement deleted: Sub HB 890, SB 4523, Sub SB 4523

Funding, services, local government committees, study, report: *SB 4972, CH 50 E1 (1982)

Leasehold excise tax, distribution: SB 3512

Port districts, certain, contract requirements under interlocal cooperation act, specified: SB 4875

Purchases, sales tax exemption: SB 4520

Short-term obligations, issuance authorized, existing bonds, interest provision: SB 4728, *Sub SB 4728, CH 216 (1982)

FIRES AND FIRE PROTECTION (See also FIRE MARSHALS, LOCAL; FIRE MARSHAL, STATE)

Arson fraud, alleged, suspected, state fire marshal investigation, local contracts: 2nd Sub SB 3366

Arson fraud, program assessments provisions: 2nd Sub SB 3366

City fire chiefs, fires investigation, police powers granted: Sub SB 3366, 2nd Sub SB 3366

County fire marshal, authorized representative, fires, unincorporated areas or cities as defined, investigation, police powers granted: Sub SB 3366, 2nd Sub SB 3366

Fire protection board established, appropriation: SB 3296, Sub SB 3296

Fire protection board established: 2nd Sub SB 3296

Fire service training center, commission for vocational education, bonding authority increased: *Sub HB 1230, CH 48 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

FIRES AND FIRE PROTECTION—cont.

Forest land, assessments, maximums, minimums established, administrative costs, suppression account provisions: *HB 1099, CH 55 E1 (1982)

Forest land, violations, requirements: HB 223

Fraud and arson bureau, insurance commissioner's office, created: SB 3366

Insurance policies, high risk areas, anti-arson applications, cancellation requirements: *SB 3297, CH 110 (1982)

Port districts, certain, contract requirements under interlocal cooperation act, specified: SB 4875

Power driven machinery, use permit, down or dead timber, requirement repealed: HB 223

Reporting, failure, as specified, crime defined, penalty prescribed: SB 3292

Reporting, refusal, crime defined, penalty prescribed: SB 3292

FIREWORKS

Definitions, sales prohibitions, surety bond, license, permit, public display, requirements revised, cities, counties permit fees establishment: *Sub HB 1149, CH 230 (1982)

Definitions, sales prohibitions, surety bond, license, permit, public display, requirements revised: SB 4597, Sub SB 4597

Research, amateur, pyrotechnics, special effects personnel use, regulations adoptions, definitions, revised, permit requirement before licensing: SB 3341

FISCAL IMPACT (See also ECONOMIC IMPACT)

Beer, wine sales, state liquor stores, authority removal, LBC fiscal impact study directed, appropriation: Sub HB 1039

Budget, balanced, each biennium, state duty: Sub HJR 13

Budget stabilization account, establishment directed, appropriations, fiscal emergencies, retirement systems assets, revenues, biennium credit: Sub HJR 13

Budget stabilization account, transfers, deposits, legislative appropriation requirements, expenditures, uses specified: *Sub HB 1109, CH 36 E1 (1982)

FISCAL YEAR

Tax payments, specified collection period, considered within fiscal year ending June 30, 1983: SB 4392

FISHERIES, DEPARTMENT OF

Blue lights, motor vehicles, use authorized: HB 825, Sub SB 3258

Clam farmers, catch, sales direct to consumers, allowed: HB 1071, SB 4872

Commercial fisherman, catch, sales direct from boat in port, allowed: HB 1071, SB 4872

Commercial net fishing areas, Quinault, Queets, Raft river mouths, establishment directed, seasons, chum, sockeye, establishment permitted: HB 458

Crab licenses, commercial, Puget Sound licensing district, issuance requirements: HB 842, SB 4464

Crab licenses, commercial, Puget Sound licensing district, issuance requirements, leased, rented vessels provision: *SB 4464, CH 157 (1982)

Dealers, wholesale, license applicants, surety, property bond posting, authority to require repealed: HB 1071, SB 4872

Dingell-Johnson federal aid, projects establishment: *Sub HB 70, CH 26 (1982)

Enforcement officers, law enforcement authority, provisions: Sub SB 3258

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

FISHERIES, DEPARTMENT OF—cont.

- Fish enhancement projects, expenditures authorized, outdoor recreation projects completion, reappropriation increases: *Sub HB 1230, CH 48 E1 (1982)
- Fish enhancement projects, federal funding petitioned: SJM 110
- Fish hatchery revolving fund, created: Sub SB 3965
- Fishing authority, certain, limited to Grays Harbor—Columbia river commercial salmon fish gill net licenses: HB 458
- Fishing regulation, federal, all parties, equal treatment petitioned: SJM 123
- Geoducks, intensive management plan, implementation with DNR, appropriation: *HB 1162, CH 180 (1982)
- Indian treaty rights, reconsideration petitioned: SJM 129
- John Wayne trail select committee, establishment, members, duties, agency cooperation: SCR 143
- Licenses, function transferred licensing department, eligibility, suspension, revocation, buy back authority retained: Sub SB 3751
- Licenses, permits, single individual, one document, applicable endorsements, combination, licensing department, directed: Sub SB 3751
- Lights, other than red, motor vehicles, use designation, equipment commission authority: SB 4826
- Lights, sirens, motor vehicles, use designation, equipment commission authority: *Sub SB 4826, CH 101 (1982)
- Local government master program adjustments, review provisions, as specified, APA exemption, as specified: Sub HB 1098
- Milwaukee road select committee, establishment, members, duties, agency cooperation: *SCR 143 E1 (1982)
- Nonresidents, license applicants, surety, property bond posting, authority to require repealed: HB 1071, SB 4872
- Oyster farmers, catch, sales direct to consumers, allowed: HB 1071, SB 4872
- Public lands clam management account, established, appropriation: Sub SB 3442
- Public works, small works roster establishment authorized, contractor prequalification provision: *Sub SB 4200, CH 98 (1982)
- Razor clams, programs, harvest benefit, appropriation: *HB 894, CH 178 (1982)
- Real estate, acquisition, exempt from GA director authority: *Sub HB 810, CH 41 (1982)
- Salmon bartering, fresh, personal use, permitted, rules adoption: SB 4442
- Salmon eggs, excess, disposition, director approval required: SB 4612, SB 4761
- Salmon eggs, excess, disposition, priority list establishment: Sub SB 3385
- Salmon enhancement activities, congressional appropriations requested: SJM 114
- Salmon enhancement activities, support program, development requested: SCR 125
- Salmon enhancement programs, volunteer, non-profit, cooperative, certain, provisions not applicable: Sub SB 3385
- Salmon enhancement projects, spending provision: HB 1087
- Salmon fishing, commercial, Columbia river tributaries, streams, prohibited: SB 4388
- Salmon fishing, personal use, commercially caught, commingling prohibition removed: SB 4442
- Salmon fishing, treaty Indian fisheries, nontreaty Indian participation limited: *SB 4522, CH 197 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

FISHERIES, DEPARTMENT OF—cont.

- Salmon fishing vessels, commercial, buy-back program extended: HB 841, SB 4465
- Salmon harvesters commission, creation, referendum provision, members, powers, duties, inspection, enforcement authority, civil service, budget, accounting exemptions: Sub SB 3204
- Salmon hatcheries, private nonprofit, authorized, conditions specified: SB 4754
- Salmon management plan, preparation requirements, legislative reports: Sub SB 3557
- Salmon rearing net pen complex, McNeil Island location (vetoed): Sub HB 1230
- Salmon release-recapture facilities, authorized, provisions: Sub SB 3385, SB 4761
- Salmon release-recapture facilities, authorized, provisions, advisory council created: SB 4612
- Salmon resources, equal access, director authority specified: SB 4910
- Salmon surplus, sale authorized, senior citizens, general public, conditions, penalties prescribed: SB 4479
- Shoreline hearings board, contested case hearings, notice requirement: Sub HB 914
- St Helens, recovery operations, food fish protection requirements exemption: SB 4510, Sub SB 4510
- St Helens, recovery operations, food fish protection requirements, hydraulic project applications, processing requirements: *Sub SB 4510, CH 7 (1982)
- Tribal claims, rights, fish, other natural resources, settlement, acquisition petitioned, memorial, vote of the people directed: HJM 20

FISHING - SPORT (See also GAME AND GAME FISH)

- Check stations, game commission, department, establishment prohibited: SB 4459
- Check stations, game department, operation authorized, conditions specified: SB 4550, *Sub SB 4550, CH 155 (1982)
- Licenses, fisheries department functions, transferred licensing department, eligibility, suspension, revocation, buy back authority retained: Sub SB 3751
- Licenses, free, persons confined to wheelchairs: SB 4751
- Licenses, permits, single individual, one document, applicable endorsements, combination, licensing department, directed: Sub SB 3751
- Regulation, federal, all parties, equal treatment petitioned: SJM 123
- Salmon fishing, treaty Indian fisheries, nontreaty Indian participation limited: *SB 4522, CH 197 (1982)
- Salmon resources, equal access, fisheries director authority specified: SB 4910

FLEMING, SENATOR GEORGE

- Personal privilege, explanation to Senator Deccio 171
- Personal privilege, illness or family illness excuse for absence 673
- Personal privilege, report on status of Senator Talley's health 1845
- Personal privilege, Senator Clarke's remarks, rhetoric 201
- Point of inquiry, Senator Clarke, regarding rereferral of measures 568-569
- Remarks, regarding Dr. Martin Luther King, Jr. 433-434
- Remarks, regarding governor's proclamation extending special session 1841
- Remarks, regarding retirement of Senator Wilson 1773
- Remarks, regarding visitors' concerns, commending participation 473

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

FLESCH READING EASE TEST

Rules, administrative, statutes, simple, clear, concise language requirement, minimum score provision: Sub HB 835

FLOODS AND FLOOD CONTROL

Facilities, PUD authority: SB 3581

St Helens, recovery operations, DOE requirements exemption, fisheries, game departments hydraulic project application requirements: *Sub SB 4510, CH 7 (1982)

FLOOR RESOLUTIONS - SENATE

Adjournment sine die, 1981 second special session, house notified: *SFR 161 E2 (1981)

Adjournment sine die, 1982 first special session, house notified: *SFR 236 E1 (1982)

Adjournment sine die, 1982 regular session, house notified: *SFR 202 (1982)

Agriculture Day, March 18, 1982, food/agriculture industries salute, citizen participation urged, agriculture director Keith Ellis, honorary chairman: SFR 180

Alcoholism and treatment act, uniform, select committee appointment, effectiveness study, report: SFR 179

Apprenticeship, special select committee creation, study requirements, report: SFR 226

Athletic trainers, professional licensing, regulation, athletic therapy and training select committee formation, study, report: SFR 221

Athletic trainers, professional licensing, regulation, sports medicine and athletic training select committee formation, members, study, report: SFR 219

Automobile insurance, mechanism, facilities and operations committee, study: SFR 54

Bates, L H (Vern), vocational education director, Tacoma public schools, death, mourned, significant contributions acknowledged: *SFR 169 (1982)

Bills, introduction, cut-off dates, 1982 regular session, established: *SFR 168 (1982)

Bills, resolutions, memorials, indefinite postponement: *SFR 242 E1 (1982)

Blacks, incarceration, high rate, social and health services committee, study, recommendations, report: SFR 197

Bridges, connecting, ferries service areas, transportation committee study, report: SFR 200

Bridges, needs determination, transportation committee study, report: SFR 201

Brown, Reverend Leo Charles, Jr, "day" February 6, 1982, designated, spiritual, civic contributions, people of city of Tacoma, honored: *SFR 170 (1982)

Buckingham, Michael W, WSP trooper, injured in line of duty, recognition, commendation: *SFR 159 E2 (1981)

Canadian lumber imports, effect on American jobs, natural resources committee, hearing, report requirements, January 1982 deadline: *SFR 160 E2 (1981)

Children, youth, families in crisis, senate social/health services, house human services committees, DSHS efforts monitoring, review directed, DSHS, committees requirements: *SFR 193 (1982)

Clean air act, parks and ecology committee study directed: SFR 196

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

FLOOR RESOLUTIONS – SENATE—cont.

- Coal transshipment, Far East, transportation, commerce and labor, parks and ecology committees, feasibility study, report: SFR 234
- CPR training, February 17, 1982, members, staff, attendance encouraged: *SFR 177 (1982)
- Cunningham, Dave, legislative liaison, Washington water power company, serious injury, appreciation, prayers for recovery: *SFR 157 E2 (1981)
- Dietrich, Eldon J, president, Walla Walla community college, retirement, sincere appreciation expressed: *SFR 187 E1 (1982)
- Driving while intoxicated, legislative effect, transportation committee determination, report: SFR 241
- El Salvador, human rights certification, Reagan administration, reconsideration urged, Congressional overturn, resolution adoption urged: SFR 175
- El Salvador, military aid expenditures questioned, public hearings by congressional delegation requested: SFR 185
- Ferry contract 1037, select committee appointment, subpoena power requested, staff support, report: SFR 184
- Ferry system, terminals other facilities, adequacy, improvements, transportation committee study: SFR 232
- Filled dairy products act, continuation, labor and commerce committee study, report: SFR 222
- Fisheries, game departments, merger, feasibility study, select committee formation directed, objectives, methodology, report: SFR 189
- Fitness industry, uniform, ethical standards, commerce and labor committee review, report: SFR 240
- Game, fisheries departments, merger, feasibility study, select committee formation directed, objectives, methodology, report: SFR 189
- Gubernatorial appointments, select committee formation, effectiveness review, report: SFR 235
- Handicapped programs, as specified, proper funding, education, ways and means committees study, report: SFR 239
- INC magazine, honoring Thousand Trails, Lebeacon Presse' and Early Winters, small business development: *SFR 178 (1982)
- Initiative, referendum powers, uniformity, constitutions and elections committee study, report: SFR 220
- Initiative 394, lawsuit against, costs, ratepayer payment, contrary to public policy declaration: *SFR 181 (1982)
- Insurance coverage, company obligations not lived up to, financial institutions and insurance committee study, report: SFR 228
- Interim business, facilities and operation committee: *SFR 238 E1 (1982)
- Irish Week, March 12–19, 1982, Thelma M Doran, Irish counsel general, welcomed: *SFR 198 (1982)
- Islands, problems, special interpretation of state law, state government, parks and recreation committees study, report: SFR 231
- I-90 closures, Olallie Creek area, transportation committee study, report: SFR 233
- KGY radio station (1240) 60th anniversary, April, 1982, Father Sebastian Ruth, founder, recognized, Tom Olsen and family, outstanding achievements recognized: SFR 194

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

FLOOR RESOLUTIONS - SENATE—cont.

- King, Martin Luther, Jr, tribute: *SFR 164 (1982)
- Legislation, new, request list, introduction, 1982 first special session, time frame established: *SFR 205 E1 (1982)
- Legislation, new, request list, introduction, 2nd special session, time frame established: *SFR 150 E2 (1981)
- Limited guardianship, select committee appointment, members, duties, report: SFR 206
- Lincoln, Abraham, February 12, 1982, homage: *SFR 176 (1982)
- Luther, Captain Philip H, Puget Sound pilot, retirement, thirty-seven years service commended: *SFR 217 E1 (1982)
- Maloney, Chief Neil W, state patrol, senate transportation committee, chief's efforts, recognition, support requested: SFR 191
- Marine fire protection, major port cities, local government committee, study, report: SFR 199
- Merchandise coupons, use, commerce and labor committee study, report: SFR 212
- Mount St Helens eruption, Columbia River cleanup, Corps of Engineers commended: *SFR 213 E1 (1982)
- Murals, senate chamber, east, west walls, removal, disposition requested: SFR 153
- Muskoxen activity, governmental organizations participation, parks and ecology committee study, report: SFR 243
- Nuclear weapons, testing, production, deployment, US/USSR mutual freeze, presidential proposal requested: SFR 192
- Officers, committee chairmen, members, 1982 first special session: *SFR 204 E1 (1982)
- Oil and gas select committee, formation, resources development, report: SFR 237
- Olympic county, establishment study, local government committee, hearings, report: SFR 207
- Orthomolecular treatment, mental health program, initiation study, social and health services committee, directed: SFR 227
- Over 60 study, dependent persons, social and health services committee, report: SFR 218
- Pacific Northwest trail, interstate wilderness trail, uniqueness, inclusion within national trail system: *SFR 45 (1982)
- Pacific Northwest Trail, national trail system inclusion requested: SFR 173
- Parks and recreation commission, reorganization, no action directed, governor investigation, commission report to parks and ecology committee directed: *SFR 190 E1 (1982)
- Parks and recreation services, local governments, funding, parks and ecology committee study, report: SFR 215
- Parks and recreation system, state, local, parks and ecology committee study, SMA, air pollution, land management practices, islands, inclusion: SFR 210
- Poland, Solidarity, January 30, 1982, expression free people everywhere, martial law condemnation: *SFR 172 (1982)
- Public pension abuse, select committee, creation, responsibilities, members, hearings, reports: *SFR 158 E2 (1981)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

FLOOR RESOLUTIONS - SENATE—cont.

- Pyrenco, Inc, practical energy alternatives development, Frederick P Bierle, Donald E Chittick, commended: SFR 186
- Raboin, Philip J, state organist, "Thunder under the Dome", contributions recognized, commemorated: *SFR 208 E1 (1982)
- Radioactive waste select committee, establishment, members, duties, report: SFR 225
- Recall statutes, review, constitutions and election committee, report: SFR 223
- Roosevelt, President Franklin D, January 30, 1982, birthday commemorated, memory honored: *SFR 171 (1982)
- Rotary international, 77th anniversary, February 23, 1982, commended: SFR 183
- Rules, permanent, amended, rule 14 amended: SFR 152
- Rules, permanent, amended, rule 43 amended: SFR 151
- Rules, permanent, amended, rule 61 amended: *SFR 168 (1982)
- School lunch program, national, further cuts opposed: SFR 182
- Senate organized, 1981 second special session, house notified: *SFR 149 E2 (1981)
- Senate organized, 1982 first special session, house notified: *SFR 203 E1 (1982)
- Senate organized, 1982 regular session, house notified: *SFR 163 (1982)
- Small businesses, INC magazine honoring Thousand Trails, Lebeacon Presse' and Early Winters: *SFR 178 (1982)
- Spokane's First National Bank, centennial anniversary, congratulated: SFR 216
- Student congress, commended, senate chamber use, December 2-4, 1982, if feasible: *SFR 188 E1 (1982)
- Summers, Rosalyn, national women's figure skating champion, congratulations, best wishes: SFR 174
- Sutherland, Phil, Puget Sound gillnetter, lost life at sea, Novlber 3, 1981, condolences: *SFR 155 E2 (1981)
- Tax treatment, preferential, higher ed institutions practicing racially exclusionary policies, Congress, reversal requested: SFR 166
- Taxes, state, local, economic impact on state and border communities, study, revenue department, directed, completion date established: *SFR 162 E2 (1981)
- Teacher training programs, elimination at research universities, postsecondary education council impact study, report: SFR 229
- Uniform alcoholism and treatment act, select committee appointment, effectiveness study, report: SFR 179
- University of Washington football team, players, coaches, fans, congratulated: *SFR 156 E2 (1981)
- Veterans Day, 1981, thanks to veterans past and present: *SFR 154 E2 (1981)
- Vital issues resolution, ways and means committee duties specified: SFR 230
- Washington State University, football team, players, coaches, fans, congratulated: *SFR 156 E2 (1981)
- Waterways, shorelines, marine ecology, joint science and technology committee, actions affecting, study, report: SFR 195
- Wilson, Bruce, Senator, retirement, continuing achievements of this singular grammarian, humorist and Mark Twain of our day, recognized, good wishes: *SFR 209 E1 (1982)
- Workers, January 20, 1982, visit, honor, respect, reduced session schedule, worker visitation purposes: *SFR 165 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

FLOOR RESOLUTIONS – SENATE—cont.

WPPSS fiasco, good luck: SFR 214

WPPSS, lawsuit against Initiative 394, ratepayers payment, declaration against public policy, urged: SFR 167

WPPSS monitoring, energy and utilities committee, directed, other energy duties, as specified: SFR 224

Wrestling, amateur wrestling day, April 3, 1982, governor declaration urged, U.S. wrestling federation: *SFR 211 E1 (1982)

FOOD AND FOOD PRODUCTS (See also TAXES – SALES AND USE)

Bread, weight and size standards repealed, weight marking sales requirements: Sub HB 900

Businesses, jukebox selections, payment, wagering permitted, as specified: HB 1123

Culinary, restaurant courses, alcoholic beverage use prescribed: *Sub HB 1063, CH 85 (1982)

Sales, use tax reimposed: Sub SB 4368

Taverns, cocktail lounges, persons over 18, entrance, food pick up purposes, allowed, unless locally prohibited: Sub HB 1063

Taverns, no adult entertainment, persons over 18, entrance, food pick up purposes, allowed, unless locally prohibited: Sub HB 1063

FOOD FISH AND SHELLFISH (See also FISHERIES, DEPARTMENT OF; SALMON)

Commercial net fishing areas, Quinault, Queets, Raft river mouths, establishment directed, seasons, chum, sockeye, establishment permitted: HB 458

Crab licenses, commercial, Puget Sound licensing district, issuance requirements: HB 842, SB 4464

Crab licenses, commercial, Puget Sound licensing district, issuance requirements, leased, rented vessels provision: *SB 4464, CH 157 (1982)

Dingell–Johnson federal aid, projects establishment: *Sub HB 70, CH 26 (1982)

Fish enhancement projects, federal funding petitioned: SJM 110

Fish hatchery revolving fund, created, hatching, rearing, planting, expenditures, surplus salmon eggs, food fish, shellfish, certain, sales, proceeds deposit: Sub SB 3965

Fishing authority, certain, limited to Grays Harbor–Columbia river commercial salmon fish gill net licenses: HB 458

Geoducks, intensive management plan, implementation cooperation, fisheries department, natural resources department, appropriation: *HB 1162, CH 180 (1982)

Geoducks, oysters, clams, harvesting leases, maximum annual increase rate establishment exemption: *Sub SB 4824, CH 21 E1 (1982)

Indian treaty rights, federal reconsideration petitioned: SJM 129

Licenses, fisheries department, functions transferred licensing department, eligibility, suspension, revocation, buy back authority retained: Sub SB 3751

Licenses, permits, single individual, one document, applicable endorsements, combination, licensing department, directed: Sub SB 3751

Pots, lifting, south of Hood Canal bridge abutments, specified time periods, unlawful, clams exemption: SB 4524, *HB 46, CH 14 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

FOOD FISH AND SHELLFISH—cont.

- Razor clams, harvest benefit programs, fisheries department appropriation: *HB 894, CH 178 (1982)
- Regulation, federal, all parties, equal treatment petitioned: SJM 123
- St Helens, recovery operations, food fish protection requirements exemption: SB 4510, *Sub SB 4510, CH 7 (1982)
- Tribal claims, rights, fish, other natural resources, settlement, acquisition petitioned, memorial, vote of the people directed: HJM 20
- Vessels, gear, taking, molesting, unlawful, penalty prescribed: SB 4524, *HB 46, CH 14 (1982)

FOOD STAMPS

- AFDC, allotments, consideration as income permitted: 2nd Sub HB 756

FORCIBLE ENTRY

- Justice courts, unlawful detainer actions, concurrent original jurisdiction: SJR 140
- Unlawful detainer actions, procedures, bond requirement, modified: SB 4556

FORECLOSURE

- Conveyance tax, exempted transactions stated: SB 4038
- LID's, delinquent assessment foreclosure, summons requirement, alternative method repealed: *Sub HB 823, CH 91 (1982)
- LID's, formation, financing, procedures modified, petitions, bonds, interest rates, foreclosure, annual levy: HB 519
- Social and health services financial responsibility act: Sub HB 759

FOREIGN BOTTOMS

- Lumber shipments, west coast to east, gulf coasts, use authorization requested, HR 3577 passage: SJM 130

FOREIGNERS

- Higher education institutions, miscellaneous changes prescribed, council for post-secondary education student financial aid supplementation appropriation: *2nd Sub HB 784, CH 37 E1 (1982)
- Tuition, fee waivers, foreign students, EWU, WWU, CWU, TESC, authorized: Sub SB 3347

FORESTS AND FOREST PRODUCTS (See also TAXES – PROPERTY; TAXES – TIMBER EXCISE)

- Domestic wood products, public works projects, purchase required: SB 4823
- Federal forest revolving fund, created, SPI: *Sub HB 868, CH 126 (1982)
- Federal forest revolving fund, created, SPI, county treasurer distribution provisions: SB 4480, Sub SB 4480
- Fire protection, forest land, closed season, fire, live coals, deposit prohibited, violation, misdemeanors: HB 223
- Fire protection, forest land, reports, lack of spark arresters, prevention devices, requirement deleted: HB 223
- Forest fire protection, minimums, maximums established, administrative costs, suppression account provisions: *HB 1099, CH 55 E1 (1982)
- Forest products industry employment recovery act: SB 4711

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

FORESTS AND FOREST PRODUCTS—cont.

- Forest products recovery act, extension, default, interest provisions, St Helens damaged timber excluded: *Sub SB 4663, CH 222 (1982)
- Logging road, as defined, SMA substantial development permit exemption: Sub SB 3728
- Lumber shipments, west coast to east, gulf coasts, foreign bottoms, authorization petitioned, HR 3577 passage: SJM 130
- Power driven machinery, use permit, down or dead timber, requirement repealed: HB 223
- Practices, class I, II, III, not subject SEPA EIS requirements: Sub SB 3725
- Practices, class I, II, III, not subject SEPA EIS requirements, termination date established: Sub SB 3725
- Practices, class IV, DNR evaluation, EIS purposes: Sub SB 3725
- Practices, class IV, DNR evaluation, EIS purposes, termination date established: Sub SB 3725
- Practices, licenses, certain, local government, EIS responsibility: Sub SB 3725
- Practices, licenses, certain, local government, EIS responsibility, termination date established: Sub SB 3725
- Reforestation land, declassified, conditions specified, owners' removal provisions, county assessor requirements: SB 4487
- Reforestation land, obligation, notice to buyer required: *Sub HB 419, CH 173 (1982)
- Timber contract price indexing advisory committee, created, members, duties, report: *Sub SB 4663, CH 222 (1982)
- Timber contracts, existing, as specified, extension provisions, interest rate set, St Helens damaged timber excluded: Sub SB 4663, SB 4945
- Timber contracts, existing sales, as specified, extension permitted: SB 4788
- Timber contracts, forest products industry employment recovery act, enacted: SB 4711
- Timber sales, certain, moneys received, forest development account deposit requirement: *Sub HB 773, CH 4 E2 (1981)
- Timber sales, procedures, modifications, DNR, directed: *HCR 42 (1982)
- Trees, unauthorized destruction, penalty repealed: *Sub HB 135, CH 28 (1982)
- Western red cedar, foreign shipment ban, repeal petitioned: SJM 127

FORMS MANAGEMENT

- Forms reduction act, licensing, labor and industries, revenue departments requirements, noncomplying agency reports: *SB 4559, CH 214 (1982)
- Procedures updated: SB 3020

FORT LAWTON/DISCOVERY PARK

- Final disposition, historic preservation exemption: 2nd Sub SB 3027

**FORT STEILACOOM COMMUNITY COLLEGE DISTRICT NO. 11,
BOARD OF TRUSTEES**

- Chalker, Raymond L, member: GA 538, confirmed 21,477,878
- Hunt, Dorothy K, member: GA 539, confirmed 21,447,878

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

FOSTER CARE (See also SOCIAL AND HEALTH SERVICES,
DEPARTMENT OF)

Children, longer than two years, DSHS goals, maximum number required: SB 4645

Revisions, adoption support: *Sub HB 848, CH 118 (1982), SB 4645

FOWL (See also COCK FIGHTING)

Cruelty, penalties: *HB 621, CH 114 (1982)

FRANCHISES

Public service companies, fees, licenses, certain, prohibitions specified, temporary continuation provision: *SB 4972, CH 49 E1 (1982)

FRATERNAL ORGANIZATIONS

Slot machines, nonprofit organizations, use permitted, gambling commission report required: SB 4443

FRAUD

Arson fraud division, created, fire marshal investigative duties, arson fraud division operating account, created: Sub SB 3366

Arson fraud program, assessments provisions, alleged arson, state fire marshal investigation prescribed, local agencies involvement: 2nd Sub SB 3366

City fire chiefs, fires investigation, police powers granted: Sub SB 3366

County fire marshals, authorized representative, fires, unincorporated areas, or cities as defined, investigation, police powers granted: Sub SB 3366

Fraud and arson bureau, insurance commissioner's office, created: SB 3366

Homestead property, forced sale authorized, debts incurred fraudulently: SB 4867

FREEWAY

Speed limit, maximum, national, if repealed, state authority, energy conservation purposes, termination provision: HB 576

Speeding violations, 55-70 mph, insurance abstract exclusion, abstract use violation, misdemeanor: SB 3518, Sub SB 3518

FRICHTL, DIANNE E.

Member, board of trustees, Clark community college

district 14, GA 555, confirmed 388,610,882

FRUIT

Apple processing, assessment, apple commission, levying authorized: SB 4689

Public land, leases, tree fruit production, extensions allowed: *Sub SB 4163, CH 54 (1982)

FUEL (See also TAXES - MOTOR VEHICLE FUELS; ALCOHOL
FUEL; GASOHOL; DIESEL)

Gasoline price posting act, enacted, penalty, misdemeanor provisions: SB 4829

Gasoline prices, gas tax, omission from selling price, permitted: *HB 854, CH 6 E1 (1982)

FUND RAISING

Charitable, nonprofit organizations, earnings increase allowed, events limitation: Sub HB 1102

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

FUND RAISING—cont.

Charitable, nonprofit organizations, gross wagers determination provisions: SB 4783

Legislators, during legislative sessions, limitations specified, recall election exemption: Sub HB 1125

FUNDS – PUBLIC (See also ACCOUNTS – PUBLIC)

Administrative hearings revolving, created: SB 4832, *HB 907, CH 189 (1982)

Associated student body, use, scholarship, charitable purposes, allowed, not considered public funds: SB 3617, *Sub SB 3617, CH 231 (1982)

Associated student body, use, scholarship, charitable purposes, authorized, funds defined: SJR 137

Budget, balanced, each biennium, state duty: Sub HJR 13

Budget stabilization account, establishment directed, appropriations, fiscal emergencies, retirement systems assets, revenues, biennium credit: Sub HJR 13

Budget stabilization account, transfer requirements: *SB 4250, CH 35 E1 (1982)

Cash flow, estimates, management, OFM designated agency, rules adoption authority: SB 4380, *Sub HB 773, CH 4 E2 (1981)

Certificates of deposit, allocation alteration, state treasurer, authorized, as specified: *SB 4506, CH 74 (1982)

Cigarette sales below cost act, revolving, created: HB 1092

Conservation and small scale renewable energy development revolving, established, energy office responsibilities, bonds authorized, constitutional contingency: SB 3287, Sub SB 3287

Crime victims assistance, created, L&I department administration, duties prescribed, funds allocation, nonprofit agencies, funds availability, local supplemental funding, intent: SB 3301

Deferred compensation, public depositaries: SB 4825

Educational service districts, funds, apportionment schedule modified, SPI interest costs appropriation: *Sub SB 4502, CH 136 (1982)

Educational service districts, funds, proportional distribution, SPI, certain months, modified: SB 4502, Sub SB 4502

ESD's, deposit with special purpose funds, county treasurer: HB 188, SB 3242

Federal forest revolving, created, SPI, county treasurer distribution provisions: SB 4480, Sub SB 4480

Federal forest revolving, created, SPI distribution provision: *Sub HB 868, CH 126 (1982)

Fish hatchery revolving, created, hatching, rearing, planting, expenditures, surplus salmon eggs, food fish, shellfish, certain, sales, proceeds deposit: Sub SB 3965

Geothermal, created, federal funds, as defined, deposit required, county mitigation, geothermal assessment, geothermal development accounts created, distribution percentages prescribed: SB 3779

Harbor improvement, created, rental deposits, as specified, balance deposit, capitol purchase, development account: Sub SB 3578

Investment authority, state treasurer, extended: *SB 4507, CH 148 (1982)

Investment, local with state, authorized, local government investment board created, state treasurer appropriation: SB 4743

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

FUNDS - PUBLIC—cont.

- Legal services revolving, reserve status requirements revised, sec 19, 20: Sub SB 4264, *Sub SB 4369, CH 50 E1 (1982)
- Legislative facilities, established, legislative buildings maintenance: SB 3328
- Local investment pool, created, state treasurer appropriation: SB 4743
- Municipal revolving, expenditure requirements: SB 4573
- Natural resources deposit, created, public lands commissioner, custodian: *Sub HB 773, CH 4 E2 (1981)
- Natural resources, suspense funds as specified, undistributed receipts transfer, use limitations: *Sub HB 773, CH 4 E2 (1981)
- Operating engineer certificate, established, construction equipment operator safety licensing act, enacted, appropriation: SB 4857
- Pension, home mortgage investment, congressional bill support petitioned: SJM 128
- Public employment labor relations service, created: SB 4954
- Public facilities construction loan revolving, created: SB 4622, *2nd Sub HB 906, CH 40 E1 (1982)
- Recreation guide revolving, created, proceeds, interagency committee for outdoor recreation, recreation guide sales, revenue, deposit, disbursement, committee authorization appropriation: SB 3915
- Resource management cost account, reimbursement, forest development account use permitted, funds transfer provision transfer authority termination provision: SB 3466
- School districts, building, other, as specified, investment, agent authority: SB 4421
- School districts, building, other, as specified, investment, agent authority delegation: SB 4743
- School, excess, investment authority revised: SB 4429
- Schools, public depositaries, investment authorized: SB 4825
- SPI, general expense, special purpose, use procedures establishment directed: HB 188, SB 3242
- State investment board commingled trust, established, separate accounts, authorized: *SB 4644, CH 58 (1982)
- State lottery revolving fund created: 2nd Sub HB 1103, SB 4519
- State trade fair, surplus funds, CED director, foreign trade related activities, expenditure authority: SB 4385, *HB 780, CH 2 E2 (1981)
- Transition trust lands revolving fund act, enacted, technical advisory committee, revolving fund created, DNR appropriation: Sub SB 4664
- Treasurer's suspense, transferred as account within general fund: *Sub HB 773, CH 4 E2 (1981)
- Treasurer's undistributed receipts, transferred as account within general fund: *Sub HB 773, CH 4 E2 (1981)
- Voluntary action center, created, center for voluntary act, planning and community affairs agency appropriation: SB 4621, Sub SB 4621, *Sub HB 923, CH 11 E1 (1982)
- Workers' compensation contingency reserve, surplus, premium increases reduction, use directed: SB 4940
- Youth service corps, federal matching, authorized: SB 3389

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

FUNERALS AND FUNERAL DIRECTORS

- Financial, investment advice, real estate representation, power of attorney, services, payment prohibited: *Sub HB 871, CH 66 (1982)
- License, applicants, grade point requirements specified, apprentices exemption, reciprocity provisions: *Sub HB 871, CH 66 (1982)
- Prerangement contracts, authority transferred, licensing department, registration, revocation, fees, violations: *Sub HB 871, CH 66 (1982)

FURLOUGHS (See also LEAVES AND SABBATICALS)

- Inmates, maximum period, medical furloughs excluded: HB 966, SB 4777

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- Remarks, regarding Phil Sutherland 122
- Statement for journal, missing vote on HB 1245, would have voted "no" . . . 2664

GAMBLING COMMISSION, STATE

- Businesses, class B or H licenses, organized gambling activity specified: SB 4759, Sub SB 4759
- Card games, social, tax imposed: SB 3379
- Cardrooms, playing time fees increased: Sub HB 1102
- Charitable, nonprofit organizations, bona fide, chapters, local units, assistance allowed, as specified: Sub HB 1102, SB 4783
- Charitable, nonprofit organizations, bona fide, membership qualification, voting requirement: Sub HB 1102
- Counties, tax rate, certain applicability, provision deleted: Sub HB 1102
- Counties, tax rate imposed certain incorporated areas, provision deleted: SB 4576
- Exotic races, parimutuel receipts, retention percentage increased, distribution, breeders award provisions: SB 4708, *Sub SB 4708, CH 32 (1982)
- Fund raising events, charitable, earnings increase allowed, events limitation: Sub HB 1102
- Fund raising events, gross wagers determination, taxes, fees deduction, \$5000 limit, CPI, Seattle, provisions: SB 4783
- Political action committees, as specified, bona fide charitable, nonprofit organization, gambling purposes, allowed: Sub SB 4759
- Professional, provisions, players not exempted: Sub HB 1102
- Pull tabs, single chance limit increased, maximum tax increased: Sub HB 1102, SB 4759, Sub SB 4759
- Punch boards, single chance limit increased, maximum tax increased: Sub HB 1102, SB 4759, Sub SB 4759
- Race meets, gross receipts, as specified, commission percentage: SB 4708, *Sub SB 4708, CH 32 (1982)
- Refreshments, certain payment prohibition: Sub HB 1102
- Slot machines, bona fide charitable nonprofit fraternal organizations, use permitted, report requirement: SB 4443
- State lottery, establishment, appropriation: 2nd Sub HB 1103, SB 4519
- Violations, certain liability, misdemeanor provisions: Sub HB 1102
- Waldt, Lawrence G, member: GA 495 10

GAME AND GAME FISH

- Big game, endangered species, subsequent game law violations, felony prosecution, penalty provisions, property disposal: *Sub HB 834, CH 31 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

GAME AND GAME FISH—cont.

- Blue lights, motor vehicles, use authorized: HB 825, Sub SB 3258
- Check stations, game commission, department, establishment prohibited: SB 4459
- Check stations, game department, operation authorized, conditions specified: SB 4550, *Sub SB 4550, CH 155 (1982)
- Dingell-Johnson federal aid, projects establishment: *Sub HB 70, CH 26 (1982)
- Enforcement officers, law enforcement authority, provisions: Sub SB 3258
- Fishing regulation, federal, all parties, equal treatment petitioned: SJM 123
- Hunting, interference with, prohibited, penalties prescribed, permitted civil actions: SB 4727
- Indian treaty rights, federal reconsideration petitioned: SJM 129
- John Wayne trail select committee, establishment, members, duties, agency cooperation: SCR 143
- Lands, county relinquishment, fines, payments received, in lieu of real estate taxes, provisions repealed: SB 3930
- Licenses, functions transferred licensing department, eligibility, suspension, revocation, buy back authority retained: Sub SB 3751
- Licenses, permits, single individual, one document, applicable endorsements, combination, licensing department, directed: Sub SB 3751
- Lights, other than red, motor vehicles, use designation, equipment commission authority: SB 4826
- Lights, sirens, motor vehicles, use designation, equipment commission authority: *Sub SB 4826, CH 101 (1982)
- Local government master program adjustments, review provisions, as specified, APA exemption, as specified: Sub HB 1098
- Milwaukee road select committee, establishment, members, duties, agency cooperation: *SCR 143 E1 (1982)
- Mountain goats, sheep, stamp fees increased, payment requirements: SB 4726
- Mountain sheep, tag fees, increased, nontransferable, refund provision: SB 3884
- Public works, small works roster establishment authorized, contractor prequalification provision: *Sub SB 4200, CH 98 (1982)
- Real estate, acquisition, exempt from GA director authority: *Sub HB 810, CH 41 (1982)
- Shoreline hearings board, contested case hearings, notice requirement: Sub HB 914
- St Helens, recovery operations, game fish protection requirements exemption: SB 4510, Sub SB 4510
- St Helens, recovery operations, hydraulic project applications processing requirements: *Sub SB 4510, CH 7 (1982)
- Trespass, wildlife agents, law enforcement authority: SB 4753
- Wildlife agents, law enforcement authority, provisions: Sub SB 3258
- Wildlife handling, selling businesses, inspection provisions: *SB 4466, CH 152 (1982)

GARNISHMENT

- Receipt, garnishee, writ considered binding, continuing wage lien excluded: SB 4516

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) . . . Passed during 1981 Second Special Session.
- E1 (1982) . . . Passed during 1982 First Special Session.
- E2 (1982) . . . Passed during 1982 Second Special Session.

GASOLINE (See also TAXES – MOTOR VEHICLE FUELS)

- Gas tax, selling price, distributors, omission permitted: *HB 854, CH 6 E1 (1982)
- Prices, gasoline price posting act, enacted, penalty, misdemeanor provisions: SB 4829

GASPARD, SENATOR MARCUS

- Personal privilege, correcting of announced vote on concurring in house amendments to SB 4917 1559
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GATES, MARY

- Member, board of regents, University of Washington, GA 528, confirmed 18,659,875

GENERAL ADMINISTRATION, DEPARTMENT OF

- Banks, alien, powers, regulation: *Sub SB 4115, CH 95 (1982)
- Banks, examinations, supervisor, fee schedule establishment conditions: HB 935, SB 4828
- Banks, reorganization into bank holding companies: *Sub HB 936, CH 196 (1982)
- BIDCO, business and industrial development corporations act, enacted: Sub HB 977
- Branch banks, deposits, international banking facilities, certain, exemption: SB 4115
- Buildings, publicly owned, leased, design, renewable energy systems consideration: *SB 3156, CH 159 (1982)
- Business and industrial development corporations act, enacted, banking supervisor administration: Sub HB 977
- Capital improvements, public lands basement, insurance building, 3rd/4th floors, house office building design, Capitol Lake rehabilitation, appropriations: *Sub HB 1230, CH 48 E1 (1982)
- Credit cards, state use authorized, rules adoption directed: *SB 4705, CH 45 E1 (1982)
- Credit unions, interest rates, loans, deposits, management revisions: SB 3151
- Criminal justice training commission, training facilities, lease time limit removed, lease approval requirement imposed: *HB 1066, CH 124 (1982)
- Criminal justice training commission, training facilities, lease time limit removed, subject director approval: SB 4842
- Energy audits, state facilities, conditions specified: *2nd Sub HB 658, CH 48 (1982)
- Engineering and architecture supervisor, duties revised: SB 4555, *Sub SB 4200, CH 98 (1982)
- Financial institutions, B&O tax, gross receipts, deduction, international banking facility: SB 4115
- Financial institutions, depositors, accounts classification, permitted, money market deposit competition purpose: SB 3925
- Forms management: SB 4559
- Historic property, state agency use, director responsibilities: SB 3028

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

GENERAL ADMINISTRATION, DEPARTMENT OF—cont.

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- International banking facilities, gross receipts, B&O tax exemption: *Sub SB 4115, CH 95 (1982)
- Investments, public funds, revised: SB 4825
- Legislative facilities, joint committee, created: SB 3328, Sub SB 3328
- Municipal corporations, credit lines, establishment authorized, public depositaries, conditions specified: SB 4329
- Mutual savings banks, interest, dividends, payments from guaranty funds, as specified: *Sub SB 3679 CH 5 (1982)
- Paper, recycled, purchase preference, rules adoption: *Sub HB 259, CH 61 (1982)
- Parking, state employees, official business, away from designated post, contracting authorized, reimbursement prohibition provision: SB 4447
- Public works, revisions: SB 4200, *Sub SB 4200, CH 98 (1982)
- Real estate, improvements, director authority, as specified, acquisition services, payment provision: *Sub HB 810, CH 41 (1982)
- Real estate, state, director, authority defined, exempt agencies specified: *Sub HB 810, CH 41 (1982)
- Savings and loan associations, provisions modified: SB 4662, *Sub HB 833, CH 3 (1982)
- Savings and loan associations, supervisor, powers, duties revised: SB 4662, *Sub HB 833, CH 3 (1982)
- Share guaranty contingency reserves, revisions: SB 4827, *HB 934, CH 67 (1982)
- Small works roster, establishment authorized, works under \$25,000, bid exemption, award requirements: SB 4555
- Veterans' loan insurance, references deleted: SB 3017
- Veterans' memorial parks, cemeteries, establishment, veterans affairs department, feasibility study directed, report requirement: HB 836
- 500-bed medium security correction facility, plans, corrections department report submission: *Sub HB 808, CH 23 E1 (1982)

GEOGRAPHIC NAMES

- Board, members, terms specified, sunset act, termination date extended, LBC performance audit requirements: HB 527
- Board, members, terms specified, sunset provision: HB 527, SB 3648, Sub SB 3648, SB 4988

GEOHERMAL RESOURCES

- Geothermal account, created, expenditures, distribution, state treasurer, statutory requirements: Sub SB 3779
- Geothermal fund, created, federal funds, as defined, deposit required, county mitigation, geothermal assessment, geothermal development accounts created, distribution percentages prescribed: SB 3779
- Heating systems, municipal corporations, establishment authorized, conditions specified: Sub SB 3033, 2nd Sub SB 3033

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

GLASS AND GLAZIERS

Solid wastes, ownership, vested in collector from collection point, original owner's rights removed, recyclable paper, metal, glass wastes not vested: HB 735

GLUE SNIFFING

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Sales, no implied warranties provision: *SB 4436, CH 199 (1982)

GOLDSWORTHY, ROBERT F.

Member, council for postsecondary education, GA 510, confirmed . . . 14,531,870

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GORDON, JOHN F.

Member, personnel appeals board, GA 508, confirmed 13,475,870

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GOVERNOR (See also SPELLMAN, GOVERNOR JOHN)

Aging, state advisory council, created, Governor Ray request: SB 3087, Sub SB 3087
 Aircraft excise tax, changed, revenue department collection schedule preparation requirement: SB 4497
 Allotments, state agencies, as specified, governor revision authority, ways and means committees requirement: Sub SB 4265
 Blind commission, abolished, powers, duties transferred, social and health services department: SB 4553
 Center for voluntary action act, center, fund, council created, planning and community affairs agency appropriation: SB 4621, Sub SB 4621, *Sub HB 923, CH 11 E1 (1982)
 Child abuse and neglect council, established, community-based programs, marriage license fee increased, report, termination, appropriation: *3rd Sub HB 179 CH 4 (1982)
 Civil service, exempt positions, number increased: SB 4563
 Community colleges, trustees boards, removal provisions: HB 361
 Criminal justice, state advisory commission established, conditions specified: SB 4515
 Executive branch, reorganization facilitation, Governor Spellman request: SJR 139, Sub SJR 139
 Ferry system, employees, labor relations provisions revised, marine employees commission created: SB 4609, Sub SB 4609

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

GOVERNOR—cont.

- Housing finance commission, established, appropriation, Governor Ray request:
2nd Sub SB 3084
- Improvements, public, indebtedness, payment means provided, hearings requirements, eminent domain, potential use, public information: Sub SJR 143
- Improvements, public, indebtedness, payment means provided: SJR 143, *Sub SJR 143 E1 (1982)
- Invitation to reception following adjournment 2647,2764
- Joint operating agencies, nuclear plants, management, control, 9-member executive board, governor appointment, operating procedures, incompatibility of office void: Sub HB 1217
- Leave-without-pay program, certain agencies authority: Sub HB 1226
- Legislative bills, passed, action required, as specified: SJR 145
- Legislature, adjournment sine die, 1981 second special session, governor notified: *SCR 129 E2 (1981)
- Legislature, joint session, January 11, 1982, directed, address: *HCR 32 (1982)
- Legislature, joint session, November 9, 1981, directed, financial situation address: *HCR 30 E2 (1981)
- Legislature, organized, 1981 second special session, governor notified: *SCR 123 E2 (1981)
- Legislature, organized, 1982 first special session, governor notified: *HCR 49 E1 (1982)
- Legislature, organized, 1982 regular session, governor notified: *SCR 130 (1982)
- Message, joint session 4-6
- Message, state of state, joint session 395-398
- Message transmitted, regarding second special session 2655-2656
- Motor vehicle fuel, sales, use taxes imposed, conditions specified, revenue department rules promulgation: SB 4498
- Occupational information service, employment security department, designated agency, conditions specified: *Sub HB 920, CH 43 (1982), SB 4628
- Oil and gas severance and conservation tax act: SB 4458
- Organized crime intelligence unit, investigative information, divulging, gross misdemeanor: Sub SB 3120
- Pesticides application, emergency measures, governor authority: *Sub SB 4684, CH 153 (1982)
- Planning and community affairs agency, reorganized, office of community programs, purpose declared, functions, duties, sunset termination: SB 4586, Sub SB 4586
- Proclamation, calling second special session, 1981 2
- Proclamation, calling first special session, 1982 1662
- Proclamation, calling second special session, 1982 2654
- Retirement, early, PERS, TRS, WSP, conditions specified, expiration date provision: SB 4495
- Salary, public employees, officials, higher than governor's, prohibited: SB 4615
- Small business equity corporation act: SB 4876
- Superintendent of public instruction, appointment by, serve at pleasure of governor: SJR 135
- Tax advisory council, membership, duties revised, expenditure payment provision repealed: *SB 4992, CH 41 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

GOVERNOR—cont.

- Taxes, sales, use, collection procedures modified: SB 4496
- Threats, as specified, governor, governor-elect, lieutenant governor, those in succession, penalties prescribed, WSP investigation: HB 745
- Threats, as specified, governor, immediate family, governor-elect, lieutenant governor, successors, class C felony, WSP investigation: *HB 745, CH 185 (1982)
- Traffic safety commission, governor's absence, employee designation, voting, presiding provisions revised: SB 4632
- Traffic safety commission, governor's absence, employee designation, voting provision revised, may not preside: *Sub HB 946, CH 30 (1982)
- Urban lands, state-owned, program, sell, lease, or develop, commissioner, requested, budget shortfall purposes: SCR 111

GRANTS (See also PUBLIC ASSISTANCE)

- Education enrichment block grant act, enacted, program consolidation: SB 4693, Sub SB 4693
- Winter recreation activities, programs, public agency development permitted, parks, recreation commission grants, contracts: HB 386, *SB 3737, CH 11 (1982)

GRAPES

- Public land, leases, grape production, extensions allowed: *Sub SB 4163, CH 54 (1982)
- Wine grape production, industry research, instruction programs, WSU, provisions, tax disbursement, agriculture college: Sub SB 3408

**GRAYS HARBOR COMMUNITY COLLEGE DISTRICT NO. 2,
BOARD OF TRUSTEES**

- Beckett, Betty, member: GA 560, confirmed 389,610,884
- Scroggs, Ann Hobi, member: GA 430, confirmed (1981), 417,862

GREEN, EUGENE

- Staff member, remarks, retirement of Senator Wilson 172

**GREEN RIVER COMMUNITY COLLEGE DISTRICT NO. 10,
BOARD OF TRUSTEES**

- Mathews, Hugh L, member: GA 537, confirmed 21,476,877

GRIEVANCES (See also LABOR AND LABOR RELATIONS)

- Ferry system, employees, labor relations provisions revised, marine employees commission created: SB 4609, Sub SB 4609

**GROCERY STORES (See also BUSINESS LICENSE CENTER
ACT)**

- Pilot program, CED authorization repealed: SB 4679, *Sub HB 878, CH 182 (1982)

GROUP HOMES

- Juveniles, confinement, private-not-for-profit homes, institutional confinement as necessary: Sub HB 870

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) ... Passed during 1981 Second Special Session.
- E1 (1982) ... Passed during 1982 First Special Session.
- E2 (1982) ... Passed during 1982 Second Special Session.

GROUP TRAINING HOMES

Printing services, total copy systems services, state agencies, use required, conditions specified, higher education exemption: *Sub HB 1024, CH 164 (1982)

GUARDIANSHIP

Abortion, unemancipated minor, parents, guardian, notification if possible: Sub HB 226

Children, public school attendance exemption, religious, personal beliefs: SB 4737

Public guardian, counties, position creation authorized, conditions specified: SB 4740

GUBERNATORIAL APPOINTMENTS - GOVERNOR JOHN**SPELLMAN (See also INDIVIDUAL NAME)**

Aaron, Philip, member, sentencing guidelines commission: GA 514, confirmed

Alvarez, Eloise, member, board of trustees, Big Bend community college district

No. 18: GA 576, confirmed

Anderson, James E, member, board of trustees, Skagit community college district

No. 4: GA 582, confirmed

Angier, Keith A, member, corrections standards board: GA 487, confirmed

Beauchamp, Henry, member, corrections standards board: GA 556, confirmed

Beckett, Betty, member, board of trustees, Grays Harbor community college district No. 2: GA 560, confirmed

Bishop, James P., member, board of trustees, Skagit community college district

No. 4: GA 578, confirmed

Brennick, Daryl, member, state jail commission: GA 546, confirmed

Brockett, Donald C, member, sentencing guidelines commission: GA 515, confirmed

Bryan, Greta Ann, member, judicial qualifications commission: GA 482, confirmed

Carbone, Daniel V, member, board of trustees, Seattle community college district

No. 6: GA 535, confirmed

Case, Robert A, II, member, board of trustees Central Washington University:

GA 531, confirmed

Chalker, Raymond L, member, board of trustees, Fort Steilacoom community college district No. 11: GA 538, confirmed

Chamberlain, Norman F, member, corrections standards board: GA 488, confirmed

Champeaux, Gloria M, member, public employees' retirement board: GA 512, confirmed

Champeaux, Gloria M, member, state investment board: GA 501, GA 573, confirmed

Clark, Girard, member, board of trustees, Spokane community college district No. 17: GA 566, confirmed

Clarke, Harold D, member, sentencing guidelines commission: GA 516, confirmed

Clifford, Arthur F Jr, member, sentencing guidelines commission: GA 517, confirmed

Cohen, Berta, member, public disclosure commission: GA 408, confirmed

Coleman, H Joseph, member, sentencing guidelines commission: GA 518, confirmed

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

GUBERNATORIAL APPOINTMENTS - GOVERNOR JOHN**SPELLMAN—cont.**

- Cooley, Jean, member, board of trustees, Everett community college district No. 5: GA 532, confirmed
- Daly, Maxine E, member, personnel appeals board: GA 507, confirmed
- deVries, Elna I, member, board of trustees, Skagit community college district No. 4: GA 553, confirmed
- Dixon, Robert E, member, juvenile disposition standards commission: GA 547, confirmed
- Eikenberry, Ken, member, corrections standards board: GA 489, confirmed
- Elmgren, Raymond L, member, board of trustees, Columbia Basin community college district No. 19: GA 543, confirmed
- Erickson, Larry V, member, corrections standards board: GA 490, confirmed
- Farland, Kenneth A, member, board of trustees, Lower Columbia community college district No. 13: GA 564, confirmed
- Faulk, Lawrence J, member, board of trustees, Tacoma community college district No. 22: GA 484, confirmed
- Frichtl, Dianne E, member, board of trustees, Clark community college district No. 14: GA 555, confirmed
- Gates, Mary, member, board of regents, University of Washington: GA 528, confirmed
- Goldsworthy, Robert F, member, council for postsecondary education: GA 510, confirmed
- Gordon, John F, member, personnel appeals board: GA 508, confirmed
- Hannah, Robert D, chairman, liquor control board: GA 577, confirmed
- Hansen, Paul D, member, sentencing guidelines commission: GA 519, confirmed
- Hanson, L Eugene, member, juvenile disposition standards commission: GA 548, confirmed
- Hayes, Philip S, member, state board for community college education: GA 583, confirmed
- Henrie, Mary, member, board of trustees, Wenatchee community college district No. 15: GA 540, confirmed
- Hornbrook, R E Ted, member, state jail commission: GA 503, confirmed
- Hough, Cindy Kay, member, board of trustees, Centralia community college district No. 12: GA 563, confirmed
- Hunt, Dorothy K, member, board of trustees, Fort Steilacoom community college district No. 11: GA 539 (1982)
- Hunter, Al, member, personnel appeals board: *GA 509, confirmed
- Hunt, Robert E Jr, member, board of trustees, Tacoma community college district No. 22: GA 569, confirmed
- Jensen, Shirley B, member, public employees' retirement board: GA 513, confirmed
- John, Hunter E, member, juvenile disposition standards commission: GA 549, confirmed
- Johnson, Charles V, member, sentencing guidelines commission: GA 520, confirmed
- Jones, Rudy, member, board of trustees, Edmonds community college district No. 23: GA 570, confirmed

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

GUBERNATORIAL APPOINTMENTS - GOVERNOR JOHN**SPELLMAN—cont.**

- Justice, David, member, board of trustees, Walla Walla community college district No. 20: *GA 584
- Kenner, Paul D, member, board of trustees, Whatcom community college district No. 21: GA 568, confirmed
- Kinney, Jill M, member, juvenile disposition standards commission: GA 550, confirmed
- Lamon, Harold A Jr, member, board of trustees, Highline community college district No. 9: GA 554, confirmed
- LaRose, David R, chief administrative law judge: GA 485, confirmed
- Laxton, H Dean, member, board of trustees, Big Bend community college district No. 18: GA 567, confirmed
- Lobe, Ludwig, member, health care facilities authority: GA 497, confirmed
- Lobe, Ludwig, member, state personnel board: GA 506, confirmed
- Logan, Dr Arch Jr, member, hospital commission: GA 498, confirmed
- Loposer, Avery K, member, board of trustees, Olympic community college district No. 3: GA 585
- Mage, Betty J, member, council for postsecondary education: GA 580, confirmed
- Maleng, Norm, member, sentencing guidelines commission: GA 521, confirmed
- Mathews, Hugh L, member, board of trustees, Green River community college district No. 10: GA 537, confirmed
- Maxwell, Roger F, member, corrections standards board: GA 491, confirmed
- McCarthy, John C, chairman, hospital commission: GA 557, confirmed
- McEachern, Robert B, member, board of regents, Washington State University: GA 529, confirmed
- McEachran, David S, member, corrections standards board: GA 492, confirmed
- McGough, Hugh R, member, public disclosure commission: GA 511, confirmed
- McKinley, Mary, member, board of trustees, Bellevue community college district No. 8: GA 536, confirmed
- McKinney, Reverend Samuel B, member, commission for vocational education: GA 527, confirmed
- Melior, Elaine Garvie, member, corrections standards board: GA 493, confirmed
- Mitchell, Dale, member, state investment board, SPI appointment: GA 483, confirmed
- Naddy, Marlee L, member, state commission for the blind: GA 404, confirmed
- Netherland, Warren, member, sentencing guidelines commission: GA 522, confirmed
- Newman, Della M, member, state personnel board: GA 574, confirmed
- Nihoul, Timothy R, member, board of trustees, Big Bend community college district No. 18: GA 542, confirmed
- Overton, Jerry B, member, state transportation commission: GA 525, confirmed
- Owen, Tracy, member, board of trustees, Shoreline community college district No. 7: GA 562, confirmed
- Palmer, David H, member, state board of pharmacy: GA 464, confirmed
- Panther, Chief Robert D, member, state investment board: GA 502, confirmed
- Peter, Philip A, member, state commission for the blind: GA 403, confirmed
- Petersen, N Clifford, member, juvenile disposition standards commission: GA 571, confirmed

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

GUBERNATORIAL APPOINTMENTS – GOVERNOR JOHN**SPELLMAN—cont.**

- Peterson, Paul W, member, juvenile disposition standards commission: GA 558, confirmed
- Plaisance, Richard T, member, board of trustees, Olympic community college district No. 3: GA 561, confirmed
- Potthoff, Neil S, member, board of trustees, Peninsula community college district No. 1: GA 472, confirmed
- Prince, Robert W, member, board of trustees, Wenatchee community college district No. 15: GA 541, confirmed
- Radke, Helen, member, state board for community college education: GA 474, confirmed
- Rahm, Karen, member, corrections standards board: GA 494, confirmed
- Ramsey, Norman E, member, hospital commission: GA 499, confirmed
- Rathfelder, Dr R R, member, higher education personnel board: GA 496, confirmed
- Reed, Amos E, secretary, department of corrections: GA 486, confirmed
- Reich, Jay A, member, juvenile disposition standards commission: GA 551, confirmed
- Rice, Kenneth B, member, board of trustees, Everett community college district No. 5: GA 575
- Richmond, Chester A, member, board of pilotage commissioners: GA 579, confirmed
- Rogers, Jack H, member, state investment board: GA 473, confirmed
- Rosmond, Frederick B, member, board of trustees, Peninsula community college district No. 1: GA 572, confirmed
- Scales, Symone B, chairman, human rights commission: GA 500, confirmed
- Schram, Donna D, member, sentencing guidelines commission: GA 523, confirmed
- Scott, Steve, member, sentencing guidelines commission: GA 524, confirmed
- Scroggs, Ann Hobi, member, board of trustees, Grays Harbor community college district No. 2: GA 430, confirmed
- Shaber, Bert, member, board of trustees, Eastern Washington University: GA 552, confirmed
- Sherman, Vaughn A, member, board of trustees, Edmonds community college district No. 23: GA 544, confirmed
- Simons, Carol, member, board of trustees, Edmonds community college district No. 23: GA 545, confirmed
- Stern, Bernice, member, state transportation commission: GA 526, confirmed
- Stimpson, Catharine C, member, board of trustees, Whatcom community college district No. 21: GA 477, confirmed
- Sullivan, Jeffrey C, member, state jail commission: GA 504, confirmed
- Thorpe, Jon G, member, commission for vocational education: GA 478, confirmed
- Vandiver, H M, member, juvenile disposition standards commission: GA 559, confirmed
- Vynne, Eustace "Sonny" Jr, member, state parks and recreation commission: GA 424, confirmed
- Waldt, Lawrence G, member, gambling commission: GA 495

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

GUBERNATORIAL APPOINTMENTS – GOVERNOR JOHN

SPELLMAN—cont.

- Washines, Anthony, member, board of trustees, Yakima community college district No. 16: GA 565, confirmed
- Webster, Kate B, member, board of regents, Washington State University: GA 530, confirmed
- Weis, Nancy L, member, board of trustees, Everett community college district No. 5: GA 533, confirmed
- Weza, I A Tony, member, public disclosure commission: GA 581
- Williams, Margaret S, member, state parks and recreation commission: GA 505, confirmed
- Yates, H Roy, member, board of trustees, Everett community college district No. 5: GA 534, confirmed

GUESS, SENATOR SAM C.

- Hall of fame for retired legislators, Senator Bruce Wilson nominated as member 2225
- Presiding during ceremony honoring Corps of Engineers 1912
- Remarks, eulogy, former Senator Frank Connor 2642
- Remarks, regarding Phil Sutherland 122
- Statement for journal, regarding amendment to SHB 849 1339–1340

GUIDES

- Recreation guide, revolving fund, appropriation: SB 3915

GUNS

- Gunpowder, sales, gift, disposal, delivery, persons under eighteen, unlawful, use provisions, employment exemption specified: HB 22
- Gunpowder, sales, gift, disposal, delivery, persons under eighteen, unlawful, use provisions: HB 22
- Pistol regulations, prescribed, vote of the people required: SB 4923

HALEY, SENATOR TED

- Personal privilege, encouraging prison industries 2028–2029
- Remarks, regarding death of L. H. Bates 648
- Statement for journal, regarding amendment to SHB 849 1339–1340

HALL OF FAME

- Retired legislators, suggested by Senator Guess, Senator Wilson nominated, member 2225

HAND SIGNALS

- Bicycle riders, requirements prescribed: SB 4339, Sub SB 4339

HANFORD

- Nuclear waste, high-level, federal policies, modification petitioned: SJM 116
- Nuclear waste, low-level, in-state storage, volume reduction, radiation control agency, directed, as specified: SB 4590

HANNAH, ROBERT D.

- Chairman, liquor control board, GA 577, confirmed 611,817,1006

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) ... Passed during 1981 Second Special Session.
 E1 (1982) ... Passed during 1982 First Special Session.
 E2 (1982) ... Passed during 1982 Second Special Session.

HANSEN, PAUL D.

Member, sentencing guidelines commission, GA 519, confirmed 16,404,873

HANSEN, SENATOR FRANK "TUB"

Personal privilege, given message to department
of revenue, SSB 3783, amendment 1778
Remarks, retirement of Senator Wilson 1770
Statement for journal, regarding amendment
to SHB 849 1339-1340

HANSON, L. EUGENE

Member, juvenile disposition standards commission, GA 548,
confirmed 387,701,880

HARBOR AREAS (See also NATURAL RESOURCES, DEPARTMENT OF)

Alaskan Way seawall, certain easterly lands, SMA exemption: SB 4724
Appraisers, lease purposes, accreditation requirements specified: *HB 728, CH
117 (1982)
Aquatic lands, code, separate chapters, established: SB 4824, *Sub SB 4824, CH
21 E1 (1982)
Aquatic lands joint legislative committee, members, duties, report, termination:
*Sub SB 4824, CH 21 E1 (1982)
Determination, harbor lines, location, establishment, natural resources board des-
ignated: Sub SB 3578
Docks, upland owners, recreational use, state lands, additional rent or fees pro-
hibited: *Sub SB 4824, CH 21 E1 (1982)
Harbor improvement fund, created, rental deposits, as specified, balance deposit,
capital purchase, development account: Sub SB 3578
Leases, fair market value, administrative fee, rate setting, right of appeal: SB
3578
Leases, fair market value, rate setting, right of appeal, conditions prescribed: Sub
SB 3578
Leases, maximum annual increase rate set, geoduck, oyster harvesting, oyster bed
leases exemption: *Sub SB 4824, CH 21 E1 (1982)
Leases, notice of determination of fair value, certified mail requirement: Sub SB
3578
Leases, power vested: Sub SB 3578
Leases, requirements modified: SB 3565
Management, commerce navigation needs, adjacent, port districts, lease condi-
tions: Sub SB 3578
Rental adjustments, revaluation, reduction requirements: SB 3578, Sub SB 3578
Rental fee, annual, permissible increase rate increased: SB 4423
Rental fees, increase rate established: SB 3567

HAYES, PHILIP S.

Member, state board for community college education,
GA 583, confirmed 1004,1120,1200

HAYNER, SENATOR JEANNETTE

Announcement of proposed work schedule 930

* Measures passed by Senate and House. Also Senate Resolutions adopted.
GA Gubernatorial Appointment.
SR Senate Floor Resolutions.
E2 (1981) . . . Passed during 1981 Second Special Session.
E1 (1982) . . . Passed during 1982 First Special Session.
E2 (1982) . . . Passed during 1982 Second Special Session.

HAYNER, SENATOR JEANNETTE—cont.

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Remarks, announcement of Patsy Williams, chief clerk of house elected, first woman	2361
Remarks, explanation, status of bills in first special session	1664
Remarks, local option tax	128
Remarks regarding proclamation from governor amending March 11, 1982 pro- clamation extending period of time additional days	1840
Remarks, regarding SB 4374	48-49
Remarks, regarding visitors' concerns, commending participation	473
Remarks, senate bill considered before house bill, chance of passing house, time important	1130
Reply to Senator Bottiger point of inquiry regarding cutoff resolution	725
Reply to Senator Talmadge point of inquiry regarding jobs, fiscal issues	712-713
Statement for the journal, regarding amendment to SHB 849	1339-1340

HAZARDOUS SUBSTANCES AND PRODUCTS

Common carriers, bills of lading, red in color or red border, requirement removed: *HB 457, CH 83 (1982)
Incident command agencies, emergency assistance agreements, authorized, condi- tions specified: *HB 883, CH 172 (1982)
Solid waste advisory committee, membership increased, scope expanded: *SB 4909, CH 108 (1982)
Transportation incidents, acts, civil liability, modified, conditions prescribed: SB 3959, Sub SB 3959
Transportation incidents, persons rendering aid, liability limited: *HB 883, CH 172 (1982)
Transportation incidents, transporters, incident creators, extraordinary costs lia- bility: SB 4525
Uranium, thorium, milling defined: *SB 3425, CH 78 (1982)

HEALTH AND SAFETY

Cancer research, cigarette tax, increased, funds use, DSHS allocation authority: HB 885, SB 4427
Cancer research, cigarette tax, increased, funds use, DSHS allocation authority, LBC program evaluation, report requirements: HB 885
Drugs, alcohol, effects, 7th, 8th grade health courses, curriculum requirement: SB 3724
Health departments, combined city and county, personnel system separate from city or county personnel or civil service systems permitted: *SB 4354, CH 203 (1982)
Minors, work permits, L&I rules establishment directed: HB 795
Odors, agricultural, certain, clean air act exemption: Sub SB 4044

* Measures passed by Senate and House. Also Senate Resolutions adopted.
GA Gubernatorial Appointment.
SR Senate Floor Resolutions.
E2 (1981) . . . Passed during 1981 Second Special Session.
E1 (1982) . . . Passed during 1982 First Special Session.
E2 (1982) . . . Passed during 1982 Second Special Session.

HEALTH CARE AND WELFARE PLANS

Planning and community affairs agency, reorganized, office of community programs, purpose declared, functions, duties, sunset termination: SB 4586, Sub SB 4586

HEALTH CARE FACILITIES AUTHORITY

Lobe, Ludwig, member: GA 497, confirmed 10,475,867

HEALTH CARE SERVICES AND PROVIDERS

- Abortion, induced premature birth, medical care services prohibited, exemptions specified: 2nd Sub HB 756
- Abortion, infant born alive, immediate medical attention required: SB 3370
- Abortion, informed consent requirement: Sub HB 226
- Abortion, unemancipated minor, parents, guardian, notification if possible: Sub HB 226
- Agent orange, delayed stress syndrome, information, VA department distribution, physicians, mental health centers, required: *SB 4619, CH 97 (1982)
- Agent orange, other chemical defoliants, veterans, physicians, hospitals, DSHS, UW medical facilities, attorney general provisions: SB 4687
- Alcoholism, detoxification services, disability, health care, HMO contracts inclusion: SB 4942
- Blood banks, regulations imposed: SB 4583, Sub SB 4583
- Certificate of need program, review, specified exemptions: HB 757
- Contractors, agreements, certain statutory disability provisions applicability, rules promulgation, noncompliance disapproval, HMO nonapplicability: Sub HB 891, Sub SB 3346
- Dental care coverage, nonparticipating dentists, use restrictions prohibited, payment requirement: SB 4499
- Dental insurance, benefits, beneficiary's reimbursement, indemnity rights: SB 4588
- Dentists, nondental anesthesia use allowed, conditions specified, medical disciplinary board jurisdiction: *Sub HB 1047, CH 51 (1982)
- DMSO, legend drug, sales, use, authorized: SB 3185, Sub SB 3185
- Drug dependence treatment, disability, health care, HMO contracts inclusion: SB 4942
- Emergency medical care, hospitals, physicians, refusal prohibited, as specified: SB 4873
- Eye examinations, optometrists, conditions requiring medical doctor referral prescribed, optometry board rules adoption authority: SB 4500
- Health care, mandated, joint select committee established: SCR 137, *Sub SCR 137 (1982)
- Health care service contractors, agreements, certain statutory disability provisions applicability, rules promulgation, noncompliance disapproval: SB 3346
- Health care service contracts, group, alcoholism, detoxification, drug dependency, mental health services, coverage inclusion: SB 4942
- Health care service contracts, reimbursement, nonparticipants, lower level allowed, medicare supplemental insurance excluded: SB 4848
- Health studio services, contracts, regulated: SB 4721
- Hospitalization insurance, home health services, coverage inclusion required: SB 4445

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

HEALTH CARE SERVICES AND PROVIDERS—cont.

- Human remains, donees, definition expanded, entity with fulltime physician or surgeon as employee: *HB 720, CH 9 (1982)
- Inmates, leaves of absence, as defined, authorized, jurisdiction notification requirement: HB 967, SB 4785
- Insurance checks, joint endorsements required, exemption as specified: Sub SB 4610, *Sub HB 824, CH 168 (1982)
- Insurance, payments, restrictive assignment clauses prohibited: SB 4610
- Labor relations, regulations, certain, hospitals, nursing homes, health preservation agencies, repealed: HB 1058, SB 4580
- Life-sustaining procedures, legal responsibilities provision revisions: HB 319
- Medical devices, equipment, electrical installation provisions implementation: SB 3194
- Medicare supplemental insurance coverage, insurance commissioner standards adoption directed, benefit standards, required coverage statutes repealed: *Sub HB 891, CH 200 (1982)
- Medicare supplemental insurance coverage, preexisting condition redefined: Sub HB 891
- Mental health services, disability, health care, HMO contracts inclusion: SB 4942
- Physical therapy board, membership: SB 3332, Sub SB 3332
- Podiatry board, established, podiatry licensure requirements: SB 4365, *Sub HB 174, CH 21 (1982)
- Psychiatric facility, acute care, bonds authorized, DSHS appropriation: SB 4752
- Schools, common, private, oral medication, students, administration authorized, conditions prescribed, liability exemption: Sub SB 3541, *2nd Sub SB 3541, CH 195 (1982)
- Specified disease insurance policy return requirement: *Sub HB 902, CH 181 (1982)
- TRS, deductions, monthly, group insurance or health care benefit plans, retirement association fees, as defined, authorized: *SB 4468, CH 135 (1982)

HEALTH MAINTENANCE ORGANIZATIONS

- Alcoholism, detoxification, drug dependency, mental health services inclusion: SB 4942
- Financial procedures, funded reserves, surety bond requirements revised: *SB 4701, CH 151 (1982)
- Health care, contractors, agreements, certain statutory disability provisions applicability, rules promulgation, noncompliance disapproval, HMO nonapplicability: Sub HB 891, Sub SB 3346
- Nurses, health care services, contracts, inclusion: SB 4848

HEALTH STUDIOS

- Services, contracts, regulated: SB 4721

HEARING AIDS

- Audiologists defined: Sub HB 1150
- Hearing aid advisory council, abolished, functions transferred, licensing department: Sub HB 778
- Hearing aid council, members, public representation required: Sub HB 1150

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

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Licenses regulations revised, continuing education, surety bond, trainee, sales restrictions requirements specified: Sub HB 1150
 Speech—language pathologists and audiologists act: SB 3603, Sub SB 3603

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Community colleges, financial emergencies, community college education board determination, RIF procedures prescribed, rights, hearing provision: *Sub HB 782, CH 13 E2 (1981)
 Contractors registration, request procedures: Sub SB 4631
 Excise tax, local government, power granted, conditions prescribed, hearing requirement: SB 4382
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 Joint operating agencies, obligations, rate impacts, hearings, notice, requirements: SB 3502, Sub SB 3502
 Local government master program adjustments, review provisions, APA exemption: Sub HB 1098
 Medical assistance, disqualification, DSHS, burden of proof establishment: *2nd Sub HB 557, CH 3 E2 (1981)
 Planning agencies, notice requirements revised: Sub HB 1007, SB 4776, Sub SB 4776
 School closures, public hearing requirement: *Sub HB 849, CH 191 (1982)
 School closures, SEPA impact statement exemption, public hearing requirement: Sub HB 849
 Sewer, water districts, "island" within, annexation, procedures prescribed, referendum provision, as specified: *SB 4064, CH 146 (1982)
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 Shoreline hearings board, permit reviews: Sub HB 914

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Industrial appeals judges, industrial appeals hearings examiners renamed: SB 4682, *SB 4947, CH 109 (1982)

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Energy allowance, public assistance: SB 4658, *HB 980, CH 127 (1982)
 Lighting, thermal standards, energy efficient, commercial, residential buildings, building code in effect: SB 3310, SB 4113
 McNeil Island correctional facilities, repairs, corrections department appropriation: *Sub HB 808, CH 23 E1 (1982)
 Water heaters, thermostats, setting requirements: Sub HB 973, SB 4904

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Sales, not in compliance state standards, prohibited: Sub SB 3381, SB 4692, *Sub SB 4692, CH 77 (1982)

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* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

HENRIE, MARY

Member, board of trustees, Wenatchee community college
district 15, GA 540, confirmed 22,447,878

HIGHER EDUCATION (See also COLLEGES AND UNIVERSITIES; COMMUNITY COLLEGES; POSTSECONDARY EDUCATION COUNCIL; TUITION AND FEES – HIGHER EDUCATION)

- Athletic scholarships, students, tuition, fee waivers: Sub SB 3237
- Blind, needy, disadvantaged students, resident, tuition, fee waiver: Sub SB 3347
- Enrollment, 1982 high school graduates, after March 29, 1982, authorized: SB 4511
- Exceptional educational ability, higher education tuition, fee waiver, conditions prescribed: Sub SB 3347
- Idaho, tuition, fees reciprocity authorized, net revenues loss computation: HB 461
- Labor relations, general revisions, public employment labor relations service fund, created: SB 4954
- Laundry services, UW, private sector contracts allowed, supply management advisory board, arbitration: Sub HB 1216
- Maintenance, operation contracts, private sector, permitted, financial savings provision: SB 3407
- Needy, disadvantaged students, children of disabled, killed veterans, tuition, fee waivers: Sub SB 3347
- Performance evaluation standards, development required, appeal limitation: *Sub HB 1226, CH 53 E1 (1982)
- Private sector services, institutions, purchase authorized: Sub HB 1216
- Reciprocity program, British Columbia, tuition, fees, restoration allowed, CPC negotiation duties: SB 4694
- Salaries, comparable worth adjustment required, as specified: SB 4769
- Salaries, increases, appropriation decrease, salary, incremental fringe benefit increase allocation deleted, 5% decrease, April, 1982, required: SB 4611
- Salaries, postsecondary education council, responsibilities, studies, legislative reports: SB 3881
- Small business innovators' opportunity program, CED appropriation: SB 4582, *HB 1013, CH 44 (1982)
- Trust lands, purchase rights: *Sub SB 4864, CH 31 E1 (1982)
- Veterans, operating, services, activities fees increase, waiver: Sub SB 3347

HIGHER EDUCATION PERSONNEL BOARD

- Private sector services, purchase authorized: Sub HB 1216
- Rathfelder, Dr R R, member: GA 496, confirmed 10,531,866
- Reduced worktime program act: SB 4849
- Retirement, general revisions: *SB 4640, CH 52 E1 (1982)
- Salaries, comparable worth adjustment required: SB 4769

HIGHER EDUCATION RETIREMENT SYSTEMS (See also RETIREMENT AND PENSIONS, DEPARTMENT OF RETIREMENT SYSTEMS)

Early retirement, conditions specified, expiration date provision, OFM study requirements: 2nd Sub HB 124

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) ... Passed during 1981 Second Special Session.
 E1 (1982) ... Passed during 1982 First Special Session.
 E2 (1982) ... Passed during 1982 Second Special Session.

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 CWU, EWU, WWU, TESC appropriations: SB 4424

HIGHLINE COMMUNITY COLLEGE DISTRICT NO. 9, BOARD OF TRUSTEES

Lamon, Harold A Jr, member: GA 554, confirmed 388,545,882

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 (1982)

Federal-aid apportionments, highway construction, fiscal 1985, transportation
 commission, consultation, legislative transportation committee, directed: *Sub
 SB 4469, CH 19 (1982)

Federal-aid apportionments, payments in advance, as specified: SB 4469

Interstate, improvements, payments, in advance of federal-aid apportionments:
 SB 4469, *Sub SB 4469, CH 19 (1982)

Multistate highway transportation agreement, enacted: SB 4704

Naches Pass tunnel, Cascades cut-off, completion, transportation commission,
 directed: SB 4764

Residential construction, state highway lands, zoning variances encouraged: SB
 4568

HIGHWAYS - STATE ROUTES (See also TRANSPORTATION, DEPARTMENT OF)

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 ment corps, youth crews, contract consideration required: SB 3823

HISTORY

National history contest, participation, trade, industry, Eastern airlines support,
 May 8, 1982, history day, declaration: *SCR 146 (1982)

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Motor vehicles, insurance, underinsured coverage, phantom vehicles, as defined,
 deductible amount: SB 3244

HOMEMAKER/HOME HEALTH SERVICES

Hospitalization insurance, home health services, coverage inclusion required: SB
 4445

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Conveyance, encumbrance, husband, wife, acknowledgment provision repealed:
 SB 4798

Forced sales, authorized debts incurred fraudulently: SB 4867

Redefined, exemption, abandonment provisions, execution sales, notices, proceeds
 use requirements, affidavit filing: SB 3459

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

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HORNIBROOK, R.E. "TED"

Member, state jail commission, GA 503, confirmed 12,403,868

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Arabian horses, parimutuel betting system, inclusion, conditions specified, race course payments revised: *SB 4584, CH 132 (1982)

Exotic races, parimutuel receipts, retention percentage increased, distribution, bred breeders award provisions: SB 4708, *Sub SB 4708, CH 32 (1982)

Race meets, gross receipts, as specified, commission percentage: SB 4708, *Sub SB 4708, CH 32 (1982)

Race track fees, horse owners, trainers, jockeys, setting authorized, administrative costs, time limitation: *Sub SB 4708, CH 32 (1982)

Race track fees, horse owners, trainers, jockeys, setting authorized: HB 631, SB 4708, Sub SB 4708

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Arabian horses, parimutuel betting system, inclusion, conditions specified, race course payments revised: *SB 4584, CH 132 (1982)

Identificatin symbols: Sub SB 3545

Sales, no implied warranties provision: *SB 4436, CH 199 (1982)

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Agricultural, horticultural produce, crops, business inventory phase-out exemption freeze: Sub SB 4370

Insect detection and control program, agriculture department appropriation: *Sub SB 4684, CH 153 (1982)

Plant diseases, pests, as specified, pesticides, use, emergency measures, liability exemption: SB 4684, *Sub SB 4684, CH 153 (1982)

Toxic plants, retail sales, warning labels required, agriculture director rules adoption, violations, misdemeanor: SB 4601

HOSPITAL COMMISSION

Logan, Dr Arch, Jr, member: GA 498, confirmed 11,475,867

McCarthy, John C, chairman: GA 557, confirmed 389,477,883

Ramsey, Norman E, member: GA 499, confirmed 11,475,867

Termination, date established, sunset act provisions: *Sub HB 875, CH 223 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

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- Beer, wine by glass, patients, family members, visitors, offering allowed: *Sub HB 1063, CH 85 (1982)
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- Districts, smaller, powers, duties exclusion provision removed: *HB 955, CH 84 (1982)
- Districts, surplus property, interest-bearing warrants, mortgages, division procedures, commission vacancies: *HB 955, CH 84 (1982)
- Emergency medical care, refusal prohibited, as specified: SB 4873
- Labor relations, regulations, certain, repealed: HB 1058, SB 4580
- Patients, certain, absentee ballot application provision: Sub HB 43
- Psychiatric facility, acute care, bonds authorized, DSHS appropriation: SB 4752
- Specified disease insurance policy return requirement: *Sub HB 902, CH 181 (1982)
- Trustees boards, certain, majority of members, residency outside largest city required: HB 1173
- Trustees boards, certain, minimum age requirement, commissioner district provision deleted, additional members, clergy, former public employees allowed: HB 1173
- Trustees boards, certain, persons over 18, service allowed: Sub HB 148

HOT WATER

- Water heaters, thermostats, temperature setting requirements, owners', residents provisions, warning tag requirement: Sub HB 973, SB 4904

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- Parks, municipal facilities, other capital improvements, hotel, motel, special tax receipts, use authorized: SB 3318

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- Public disclosure commission, program, appropriation: Sub SB 3249

HOUGH, CINDY KAY

- Member, board of trustees, Centralia community college district 12, GA 563, confirmed 390,545,885

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- Earth-sheltered construction, joint select committee establishment, members, purposes, report: SCR 112
- Low-income housing program, federally supported, additional state support, appropriation, sec 47: Sub SB 4264
- Low-income housing program, federally supported, additional state support, appropriation, sec 51: *Sub SB 4369, CH 50 E1 (1982)
- Subsidies, public assistance, consideration as income permitted: 2nd Sub HB 756

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* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) ... Passed during 1981 Second Special Session.
 E1 (1982) ... Passed during 1982 First Special Session.
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 - St. Patrick's Day 1726-2727
- Remarks, regarding Dave Cunningham 181
- Remarks, regarding former President
 - Franklin Delano Roosevelt 585

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- Autopsies, sudden death, as specified, county coroner, mandatory, required: Sub HB 1069
- Donees, definition expanded, entity with fulltime physician or surgeon as employee: *HB 720, CH 9 (1982)

HUMAN RIGHTS AND HUMAN RIGHTS COMMISSION

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- Discrimination, ordinances against, first class cities, authority, appeal, de novo judicial review: HB 100
- Discrimination, ordinances against, first class cities, authority: HB 100, SB 3920
- Scales, Symone B, chairman: GA 500, confirmed 11,403,867

HUMANE SOCIETIES (See also ANIMALS)

- Police powers: *HB 621, CH 114 (1982)

HUNT, DOROTHY K.

- Member, board of trustees, Fort Steilacoom community college district 11, GA 539, confirmed 21,447,878

HUNT, ROBERT E. JR.

- Member, board of trustees, Tacoma community college district 22, GA 569, confirmed 392,545,886

HUNTER, AL

- Member, personnel appeals board, GA 509, confirmed 13,476,870

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- Check stations, game commission, department, establishment prohibited: SB 4459
- Check stations, game department, operation authorized, conditions specified: SB 4550, *Sub SB 4550, CH 155 (1982)
- Licenses, game department: Sub SB 3751
- Licenses, permits, single individual, one document, applicable endorsements, combination, licensing department, directed: Sub SB 3751
- Mountain goats, sheep, game license fees increased, payment requirements: SB 4726
- Trespass, wildlife agents, law enforcement authority: SB 4753

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* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

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- Higher education institutions, tuition, fees, reciprocity authorized, net revenue losses computation: HB 461

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- Horses, symbols: Sub SB 3545
 State patrol, conviction records release, fees provisions, liability exemption, rules adoption requirement: *Sub SB 4775, CH 202 (1982)

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- Aircraft, recreational flying, outdoor recreation, property owners, damage, liability immunity, as defined: SB 4654
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 Oral medication, students, public, private schools, administration authorized, conditions prescribed, liability exemption: Sub SB 3541, *2nd Sub SB 3541, CH 195 (1982)
 Pesticides, applications, emergency measures, as defined, liability immunity: SB 4684, *Sub SB 4684, CH 153 (1982)
 Police dog handlers, civil immunity, penalty for harming: *HB 289, CH 22 (1982)
 Practical nursing board, members, official duties: Sub HB 274
 Prison overcrowding reform act: SB 4577
 Railroad trespassers, injury, death: HB 114, *SB 4512, CH 141 (1982)
 State patrol, conviction records release, fees provisions, liability exemption, rules adoption requirement: *Sub SB 4775, CH 202 (1982)

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- Alcoholic beverage business, beer, wine, retail business financial interest prohibitions removed: *Sub HB 1063, CH 85 (1982)
 Alcoholic beverage businesses, as defined, persons with financial interests, retail business financial interest prohibitions repealed: Sub SB 4546
 Alcoholic beverage business, importers, wholesalers, financial interest in bottling permitted: *Sub HB 1063, CH 85 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Governatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

IMPORTS AND IMPORTERS—cont.

- Alcoholic beverage business, importers, wholesalers, permitted, financial interests defined: SB 4735
- Alcoholic beverage business (wine), importers, wholesalers, permitted financial interests defined: SB 4546
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- Trade agreements, far east nations, appropriate negotiations: *HJM 14 (1982)
- Wine licenses, J, wine dispensing equipment, advertising, manufacturer, wholesaler, importer, installation, service acceptance authorized: Sub SB 4755
- Wine service, class G, J licensees, tasting exhibitions, judging events, provisions: SB 4763, *Sub HB 1063, CH 85 (1982)

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- Motor vehicles, driven by unlicensed drivers, provisions: SB 3549, Sub SB 3549

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- Abortion, induced premature birth, medical care services prohibited, exemptions specified: 2nd Sub HB 756
- Felonious acts specified: Sub HB 1048, *Sub SB 4461, CH 129 (1982)

INCOME (See also LOW INCOME)

- Chore services, clients, remaining, requirements specified: Sub HB 1105
- Property tax, exemption, senior citizens, disabled persons, income limit to \$10,000, no regular property taxes, valuation to \$25,000, cost-of-living, valuation provisions: Sub HB 78
- Property tax, exemption, senior citizens, disabled persons, income limit to \$14,000, no excess property taxes, 1982, income to \$15,000, 1983, no excess property taxes: Sub HB 78

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- Custodial interference, defined, class C felony: SB 4509, SB 4521
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- Cities, boundary review board procedures, SEPA exemption, annexation petition consideration, charger elections: *SB 3446, CH 220 (1982)

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- Timber contract price indexing advisory committee, created, members, duties, report: *Sub SB 4663, CH 222 (1982)

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- Fishing regulation, federal, all parties, equal treatment petitioned: SJM 123
- Salmon fishing, treaty Indian fisheries, nontreaty Indian participation limited: *SB 4522, CH 197 (1982)
- Tribal claims, rights, fish, other natural resources, settlement, acquisition petitioned, memorial, vote of the people directed: HJM 20
- Tribes, certain, members, law enforcement activities, criminal justice training, authorized: SB 3717

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

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Public employees, payroll deductions authorized: SB 4697, *Sub SB 4697, CH 107 (1982)

State employees, plans, deferred compensation committee, offering authorized: *Sub SB 4697, CH 107 (1982)

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Appeals, de novo jury trials, superior court, provision deleted, oral arguments, written briefs requirement: SB 4767

Appeals, expedited, appropriation: *HB 454, CH 63 (1982)

Appeals, procedures revised, hearing examiners, renamed industrial appeals judges: SB 4682, *SB 4947, CH 109 (1982)

Appeals, transcripts, evidentiary rules, members' experience, knowledge, decision reversal provisions: SB 4767

Workers' compensation advisory committee, industrial insurance appeals board chairman, membership specified: SB 4947

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Examinations, banking supervisor, fee schedule establishment conditions: HB 935, SB 4828

INDUSTRIAL WELFARE

Committee abolished, duties transferred, labor and industries department: HB 1058, SB 4579, SB 4633, *Sub HB 762, CH 163 (1982)

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BIDCO, business and industrial development corporations act, enacted: Sub HB 977

Business and industrial development corporations act: Sub HB 977

Cherry Point, shoreline, state-wide economic significance designation, commercial uses encouraged, as specified (vetoed): SB 4831

Community economic revitalization board, created: SB 4622, *2nd Sub HB 906, CH 40 E1 (1982)

Cooperative economic development act: SB 4990

Explosives, sales, gift, disposal, delivery, persons under eighteen, unlawful, use provisions, employment exemption specified: HB 22

Forest products industry employment recovery act: SB 4711

Forest products recovery act, extension, default, interest provisions, St Helens damaged timber excluded: *Sub SB 4663, CH 222 (1982)

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Port districts industrial development levies, allowable time period lengthened: Sub SB 4963

Port districts, industrial development levies, allowable time period lengthened, voter approval requirement: *Sub SB 4963, CH 3 E1 (1982)

Regulatory fairness act: *HB 385, CH 6 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

INDUSTRY AND INDUSTRIAL DEVELOPMENT—cont.

- Tourism, program development, commerce and economic development department duties, report: SB 4696
- Washington works year, 1982, established: SCR 133
- Winter recreation commission, established, members, duties, economic development purpose, termination date: *Sub SB 4841, CH 27 E1 (1982)

INFORMATION

- Abortion, informed consent requirement: Sub HB 226
- Abortion, unemancipated minor, parents, guardian, notification if possible: Sub HB 226
- Agent orange, delayed stress syndrome, information, VA department distribution, physicians, mental health centers, required: *SB 4619, CH 97 (1982)
- Agent orange, other chemical defoliants, veterans, physicians, hospitals, DSHS, UW medical facilities, attorney general provisions: SB 4687
- Applicants, public employment, applications, public inspection exemption: SB 4734
- Campsite reservation, information system, state parks, parks, recreation commission establishment, rules adoption, appropriation: SB 3612
- Improper governmental actions, disclosure, public employees, reprisal prohibited, employee responsibilities, state auditor duties: *Sub HB 593, CH 208 (1982)
- Occupational information service, employment security department, designated agency: SB 4628, *Sub HB 920, CH 43 (1982)
- State employees insurance board, multiple carriers, contracts allowed, insurance surveys frequency changed: *HB 736, CH 34 E1 (1982)
- State patrol, conviction records release, fees provisions, liability exemption, rules adoption requirement: *Sub SB 4775, CH 202 (1982)

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- Lawsuit against, BPA nonintervention, costs nonpayment directed, petitioned: SJM 119, Sub SJM 119

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- ASB program funds, scholarship, charitable purposes, use authorized, funds defined: SJR 137
- Budget, balanced, each biennium, state duty: Sub HJR 13
- Budget, federal, balanced, via constitutional amendment or constitutional convention call limited to balanced budget amendment, petitioned, referendum provision: SJM 105
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- Campaign materials, public officials mailing at public expense, restrictions, penalties prescribed: HB 829, SB 4789, Sub SB 4789
- Campaign materials, public officials mailing at public expense, restrictions, penalties prescribed, official voter information guides exemption (vetoed): HB 829
- Clarifications, copies, filing fees, series numbers, language, title, judicial review, paper size, signature verification observation, monetary contributors: Sub SB 3895
- Constitution, obsolete provisions, as specified, removed: SJR 142
- Elections, legal notices, requirements revised: SB 4589

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

INITIATIVES AND REFERENDUMS—cont.

- Energy conservation, renewable energy sources, loans, state, local governments, authorized: SJR 111, Sub SJR 111, 2nd Sub SJR 111
- Executive branch, reorganization facilitation: SJR 139, Sub SJR 139
- Improvements, public, indebtedness, payment means provided, hearings requirements, eminent domain, potential use, public information: Sub SJR 143
- Improvements, public, indebtedness, payment means provided: SJR 143, *Sub SJR 143 E1 (1982)
- Justice courts, unlawful detainer actions, concurrent original jurisdiction: SJR 140
- Land, water dependent uses, current use valuation, authorized: SJR 144
- Law practice, legislature definition authorized: SJR 147
- Legislative bills, passed, governor, action required, as specified: SJR 145
- Petitions, normal size paper, use allowed, including newsprint: Sub SB 3645
- Petitions, requirements updated: *Sub HB 663, CH 116 (1982)
- Port districts, industrial development levies, allowable time period lengthened, voter approval requirement: *Sub SB 4963, CH 3 E1 (1982)
- Property tax, repealed, flat income tax authorized: SJR 138
- Recall elections, petition requirements revised: SB 4589
- Redistricting commission, establishment, members, direction, supreme court jurisdiction: Sub SJR 108, SJR 119
- Redistricting commission, independent, establishment authorized, conditions, duties: SJR 136
- Referendum 38, water supply facilities, DSHS appropriation: Sub SB 4270
- Sales, use taxes, cities, counties, imposition authorized, additional special initiative procedure: *SB 4972, CH 49 E1 (1982)
- Sales, use taxes, local, additional, imposition allowed, repeal process requirement: SB 4421
- Salmon harvesters commission, creation, referendum provision: Sub SB 3204
- Scenically fragile lands, public lands commissioner acquisition directed: SB 3719, Sub SB 3719, 2nd Sub SB 3719
- Schools, excess levy elections, forty percent validation requirement removed: HJR 20
- Sewer, water districts, "island" within, annexation, procedures prescribed, referendum provision: *SB 4064, CH 146 (1982)
- Signature sufficiency, judicial review, terminology updated: SB 4625
- State lottery, establishment, referendum provision: 2nd Sub HB 1103
- Superintendent of public instruction, appointment by, serve at pleasure of governor: SJR 135
- Tax revenues, state, growth restriction: SJR 113
- Unlawful detainer actions, justice courts, concurrent original jurisdiction: SJR 140
- Voters pamphlet, statements, preparation procedures revised, as specified: SB 4833

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- Railroad trespassers, injury, death, employee liability immunity: *SB 4512, CH 141 (1982)

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) . . . Passed during 1981 Second Special Session.
- E1 (1982) . . . Passed during 1982 First Special Session.
- E2 (1982) . . . Passed during 1982 Second Special Session.

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- Railroad trespassers, injury, death, railroads, employees liability immunity: HB 114
- Vocational rehabilitation, workers' compensation provisions modified, rehabilitation review division created: HB 454, SB 3902
- Vocational rehabilitation, workers' compensation provisions modified, rehabilitation review office created, appropriation: *HB 454, CH 63 (1982)
- Workers' compensation vocational rehabilitation reform act: HB 454, SB 3902

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- Insect detection and control program, agriculture department appropriation: *Sub SB 4684, CH 153 (1982)
- Plant pests, diseases, as specified, emergency measures, including aerial application of pesticides, authorized, liability provision: SB 4684, *Sub SB 4684, CH 153 (1982)

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- Administrative, warrants, issuance, execution, uniform procedures established: SB 4494, Sub SB 4494
- Applicants, public employment, applications, names, resumes, etc, public inspection exemption: SB 4734
- Applicants, public employment, personal information, public inspection exemption: Sub SB 4734
- Boilers, pressure vessels, general revisions: SB 4629
- Electrical inspection fees, cities, towns, use restriction specified: HB 1178
- Elevators, general revisions: SB 4630
- Nursing homes, requirements revised: *Sub HB 760, CH 11 E2 (1981)
- Property, real, revaluation, physical inspection schedule, conditions prescribed: SB 3783, *Sub SB 3783, CH 46 E1 (1982)
- Wildlife handling, selling businesses, wildlife agents, inspection provisions: *SB 4466, CH 152 (1982)

INSTITUTIONAL INDUSTRIES AND INSTITUTIONAL INDUSTRIES COMMISSION

- Inmates, products made, sales to public authorized: SB 4822

INSTITUTIONS (See also SOCIAL AND HEALTH SERVICES, DEPARTMENT OF; CORRECTIONS, DEPARTMENT OF)

- Deinstitutionalization subsidy program, parents of institutionalized persons, created, conditions specified, DSHS secretary duties: SB 4847
- Inmate labor, state facilities, maintenance work, corrections, GA departments, legislative report required: HB 768
- Juveniles, education, school district duties specified, funding stipulation: SB 4772
- Liquor licenses, applications, within 500 feet, written notice requirement: *Sub HB 1063, CH 85 (1982)
- Prison overcrowding emergency relief procedures, prescribed: SB 4958
- Prison overcrowding reform act: SB 4577, *Sub HB 922, CH 228 (1982)
- Prisons, work programs, more physical, DSHS, immediate development, implementation directed: SCR 104

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

INSTRUMENTS – NEGOTIABLE

Controlled substances, acquisition use, forfeiture requirement, use without owner's consent, knowledge, forfeiture prohibited: *Sub HB 15, CH 171 (1982)

INSTRUMENTS – NONNEGOTIABLE

Notaries public, fees increased: SB 4552

INSULATION

Urea-formaldehyde based foam, installation, residential structures, prohibited: SB 3310

INSURANCE AND INSURANCE COMMISSIONER (See also FIRE MARSHAL, STATE; WORKERS' COMPENSATION – INDUSTRIAL INSURANCE AND SAFETY)

Agents, brokers, surplus line brokers, error and omission coverage required, as specified: SB 4861

Arson fraud, alleged, suspected, state fire marshal investigation prescribed, local agencies contracts allowed: 2nd Sub SB 3366

Arson fraud division, created, fire marshal investigative duties, arson fraud division operating account, created: Sub SB 3366

Arson fraud, program assessments provisions: 2nd Sub SB 3366

Brokers, agents, surplus line brokers, error and omission coverage required, as specified: SB 4861

Chiropractic benefits, beneficiary's reimbursement, indemnity rights: Sub HB 824

City fire chiefs, fires investigation, police powers granted: Sub SB 3366, 2nd Sub SB 3366

Deferred compensation plans, public employees, risk, state, committee members, limited: SB 4581

Dental benefits, beneficiary's reimbursement, indemnity rights: SB 4588

Dental hygienists, dentistry benefits, beneficiary's reimbursement, indemnity rights: Sub HB 824

Disability, group plans, alcoholism, detoxification, drug dependency, mental health services inclusion: SB 4942

Driving record abstracts, fees increased: HB 1023

Error and omission coverage, agents, brokers, surplus line brokers, required, as specified: SB 4861

Examiners, expenses, OFM schedule establishment: SB 3181

Examining bureaus, licensed, organization, operation permitted: HB 230

Fire insurance policies, high risk areas, anti-arson applications, cancellation requirements: *SB 3297, CH 110 (1982)

Fire protection board established: 2nd Sub SB 3296

Fire protection board established, appropriation: SB 3296, Sub SB 3296

Fire reporting refusal, crime defined, penalty prescribed: SB 3292

Fireworks, regulations revised: SB 4597, Sub SB 4597, *Sub HB 1149, CH 230 (1982)

Fireworks, research, amateur, pyrotechnics, special effects, regulations revised: SB 3341

Fraud and arson bureau, created: SB 3366

Funeral directors, prearrangement contracts, authority transferred, licensing department, registration, revocation, fees: *Sub HB 871, CH 66 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E1 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

INSURANCE AND INSURANCE COMMISSIONER—cont.

- Group plans, PERS, TRS, allowances, deductions, premium payment, permitted, OFM policy approval: Sub HB 733
- Health care contractors, agreements, certain statutory disability provisions applicability, rules promulgation, noncompliance disapproval, HMO nonapplicability: Sub HB 891, Sub SB 3346
- Health care contractors, agreements, certain statutory disability provisions applicability, rules promulgation, noncompliance disapproval: SB 3346
- Health care coverage, checks, joint endorsements required, exemption, as specified: Sub SB 4610, *Sub HB 824, CH 168 (1982)
- Health care coverage, hospital, home health care services coverage inclusion, required: SB 4445
- Health care coverage, payments, restrictive assignment clauses prohibited: SB 4610
- Health care, group, alcoholism, detoxification, drug dependency, mental health services inclusion: SB 4942
- Health care services, premiums, labor disputes, contract holder payment required: *SB 3795, CH 149 (1982)
- Health maintenance organizations, financial procedures, funded reserves, surety bond requirements revised: *SB 4701, CH 151 (1982)
- Insurance building, 3rd/4th floors, minor remodel, OFM occupancy, general administration department appropriation: *Sub HB 1230, CH 48 E1 (1982)
- Insurers, assessment, insurance commissioner office support, conditions specified: SB 4578
- Insurers, domestic, investments, assets, provisions implemented: *SB 4569, CH 218 (1982)
- Insurers, general revisions: *Sub HB 902, CH 181 (1982)
- Leasehold excise tax, taxable rent definition, insurance expenditure exclusion: SB 4467
- Legal process, certain, fees increased: SB 3182
- Life insurance companies, unclaimed funds, disposition, time period reduced: *Sub HB 766, CH 1 E2 (1981)
- Life insurance, valuation, nonforfeiture regulated: SB 4201, *Sub SB 4201, CH 9 E1 (1982)
- Local government, self-insurers, real, personal property loss, damage, losses resulting from such loss, coverage permitted: SB 4765
- Medicare supplemental coverage, standards, adoption directed, revisions: *Sub HB 891, CH 200 (1982)
- Motor vehicles, comprehensive, collision coverage, liability coverage inclusion required: SB 3244
- Motor vehicles, coverage not exceeding secured party's interest, as specified, not deemed automobile insurance policy: Sub HB 892
- Motor vehicles, mandatory liability coverage required: Sub HB 892, SB 3244
- Motor vehicles, underinsured coverage, hit and run, phantom vehicles, as defined, deductible amount: SB 3244
- Motor vehicles, underinsured coverage, phantom vehicles, inclusion, claims clarified, injured party requirements, rights: Sub HB 892
- Optometry benefits, beneficiary's reimbursement, indemnity rights: Sub HB 824

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

INSURANCE AND INSURANCE COMMISSIONER—cont.

PERS, deductions, group insurance or plan, authorized: *SB 4468, CH 135 (1982)

Podiatry benefits, beneficiary's reimbursement, indemnity rights: Sub HB 824

Policies, forms, filing requirements revised: *Sub HB 902, CH 181 (1982)

Premium tax, increased: SB 4578

Rates regulated, supersedes, takes precedence over current law: HB 230

Rating bureaus, license requirements, responsibilities prescribed: HB 230

Report, legislative, required: HB 230

Revisions: *Sub HB 902, CH 181 (1982)

School districts, first class, permanent insurance fund, coverage, scope enlarged: SB 4647

Self-insurance, school districts, educational service districts, permitted, L&I director regulatory rules adoption requirement: *Sub HB 849, CH 191 (1982)

Shared work unemployment insurance program, established, employment security department, conditions specified, federal conflicts provision: SB 4593

Specified disease insurance policy return requirement: *Sub HB 902, CH 181 (1982)

Speeding violations, 55-70 mph, freeways, insurance abstract exclusion, abstract use violation, misdemeanor: SB 3518, Sub SB 3518

Standard valuation law, outstanding policies annuities, pure endowment contracts, valuation prescribed, nonforfeiture regulated, filing fees: SB 4201, *Sub SB 4201, CH 9 E1 (1982)

State agencies, colleges, universities, other than UW, proprietary activities coverage, risk management office purchase requirement: HB 933, SB 4564

State employees insurance board, multiple carriers, contracts allowed, insurance surveys frequency changed: *HB 736, CH 34 E1 (1982)

Surplus line brokers, agents, brokers, error and omission coverage required, as specified: SB 4861

Surplus line brokers, licensing provision: *Sub HB 902, CH 181 (1982)

TRS, deductions, monthly, group insurance or health care benefit plans, retirement association fees, authorized: *SB 4468, CH 135 (1982)

Veterans' loan, references deleted: SB 3017

INTANGIBLES

Intangible personal property, annual property tax imposed, conditions, exemptions, penalties specified: SB 4855

Retail sales, use taxes, securities, as defined, imposed, exemptions specified: SB 4450

INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

Office of community programs, transferred to: SB 4586, Sub SB 4586

Project prioritization plan, eligible marine recreation improvements, priority directed: SB 4903

Recreation guide, expenditure authorized, appropriation, proceeds reimbursement requirement: SB 3915

INTEREST AND USURY

Counties, facilities under construction, bonds, revenue, interest payment permitted: SB 3592

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

INTEREST AND USURY—cont.

- Credit cards, issued by financial institutions, limitations specified, fee limitations specified: Sub SB 4536
- Credit unions, credit interest rates, deposit rates, revisions: SB 3151
- Federal reserve system, monetary policy, interest rate reduction, as suggested, petitioned: SJM 113
- Financial institutions, as defined, depositors, accounts classification, permitted, money market deposit competition purpose: SB 3925
- Hospital districts, interest-bearing warrants, issuance authorized: *HB 955, CH 84 (1982)
- Installment sales, limitations specified: Sub SB 4536
- Irrigation districts, delinquent assessments, accrual provision, certain, removed: SB 4852
- Irrigation districts, delinquent assessments, computation, payment, delinquency list transmittal provisions: *Sub SB 4852, CH 102 (1982)
- Joint operating agencies, payments, maximum defined, applicable to all advances, contributions, renewals after 1/1/81: SB 4463
- Joint operating agencies, payments, maximum defined, applicable to all advances, contributions, renewals: Sub SB 4463, *HB 847 CH 1 (1982)
- Judgments, rate increased: SB 4543, *HB 916, CH 198 (1982)
- Land, current use classification removal, additional property tax, interest rate specified, applicable periods defined, refund provision: Sub SB 4617
- Land, current use classification removal, additional property tax, interest rate specified: SB 4617
- LID's, assessments, installment payments, principal, interest provisions: *SB 4488, CH 96 (1982)
- LID's, formation, financing, procedures modified, petitions, bonds, interest rates, foreclosure, annual levy: HB 519
- Liens, property tax deferrals, rate established: Sub HB 506
- Limitations, specified: Sub SB 4536
- Loans, forbearances, transactions, limitations specified: Sub SB 4536
- Loans, interest rate, different, not agreed to in writing, increased: SB 3066
- Municipal corporations, credit lines, establishment authorized, public depositaries, conditions prescribed: SB 4329
- Mutual savings banks, interest, dividends, payments from guaranty funds, as specified: *Sub SB 3679 CH 5 (1982)
- Property tax, statements, lists, county assessors, temporary procedures established, termination: *Sub HB 764, CH 29 E1 (1982)
- Retail charge agreements, revolving charge agreements, charge agreements, limitations specified: Sub SB 4536
- Retail installment contracts, limitations specified: Sub SB 4536

INTERLOCAL COOPERATION ACT

- Port districts, certain, fire protection contracts, as specified: SB 4875

INTERNATIONAL REGISTRATION PLAN

- Proportional registration, procedures established, when state becomes member of international registration plan: Sub SB 3993

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

INTERNATIONAL TRADE

- Convention and trade center, council created, members, study, Seattle location, recommendations requirements: SCR 116
- State trade fair fund, surplus funds, CED director, foreign trade related activities, expenditure authority: SB 4385, *HB 780, CH 2 E2 (1981)
- State trade fair fund, surplus funds, use, foreign countries, matching requirements: HB 780
- Trade agreements, far east nations, appropriate negotiations: *HJM 14 (1982)
- Washington works year, 1982, established: SCR 133

INTERROGATORIES

- Unfair business practices, attorney general, authorized: SB 3913, *Sub SB 3913, CH 137 (1982)

INTERSTATE COMPACTS

- Corrections, participation authorized: SB 4780

INVENTORIES

- Agricultural, horticultural produce, crops, business inventory phase-out exemption freeze: Sub SB 4370
- B&O tax, inventory, leased personal property, not remanufactured, property held for lease, rental, definition exclusion: Sub SB 3402, *Sub HB 313, CH 174 (1982)
- Business inventory, tax credit freeze: Sub SB 4370
- Land, public, owned or controlled by state agencies, OFM inventory maintenance, procedures, establishment required: SB 3647
- School facilities, existing, energy conservation program, SPI, energy office, ESD's cooperation, conditions specified, funds use, rules, appropriation: Sub SB 3277
- School facilities, existing, inventory, energy efficiency, safety audit provisions: SB 3277
- Taxation exemption, reporting, listing exemptions schedule: SB 3402

INVESTIGATION AND INVESTIGATORS

- Dependent persons, adult, abuse, report procedures: Sub SB 3582
- Public disclosure commission, reports, provisions extended: Sub SB 4422
- Threats, as specified, governor, immediate family, governor-elect, lieutenant governor, successors, class C felony, WSP investigation: *HB 745, CH 185 (1982)

INVESTMENTS (See also STATE INVESTMENT BOARD)

- Banks, trust companies, production credit associations, federal intermediate credit banks, federal land banks, stock, participation certificates, authorized: *HB 1074, CH 86 (1982)
- B&O tax, deduction, amounts earned, investments, dividends, as specified, repealed: SB 4401
- Cities, towns, pension system boards, investment authority modified: *Sub HB 696, CH 166 (1982)
- Community economic revitalization board, created: SB 4622, *2nd Sub HB 906, CH 40 E1 (1982)
- County treasurers, investment service, minimum charge deleted: SB 4505, Sub SB 4505

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Governatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

INVESTMENTS—cont.

- County treasurers, investment service, minimum charge deleted, \$5 or less fee, waiver allowed: *Sub SB 4505, CH 73 (1982)
- Economic stimulation, state investment board, urged: *HCR 37 E1 (1982)
- Financial institutions, as defined, depositors, accounts classification, permitted, money market deposit competition purpose: SB 3925
- Funds, local government, with state funds, authorized, local government investment board created, state treasurer appropriation: SB 4743
- Funds, public, state treasurer, investment authority extended: *SB 4507, CH 148 (1982)
- Home mortgages, pension funds investment, congressional support petitioned: SJM 128
- Insurers, domestic, investments, assets, provisions implemented: *SB 4569, CH 218 (1982)
- Investment projects, tax deferrals, certain, repayment requirements revised, exemption provision: SB 4441
- Manufacturing firms, investment tax deferrals, tax payment requirements: SB 4402
- Mortgages, home, pension funds investment, congressional bill support petitioned: SJM 128
- Public investment task force, established: SCR 147
- Savings and loan associations, modified: SB 4662, *Sub HB 833, CH 3 (1982)
- School districts, funds, as specified, agent authority delegation: SB 4743
- School districts, funds, as specified, agent authority: SB 4421
- School funds, excess, investment authority revised: SB 4429
- Small business equity corporation act: SB 4876
- Small business investment act: SB 4874
- State trade fair fund, surplus funds, CED director, foreign trade related activities, expenditure authority: SB 4385, *HB 780, CH 2 E2 (1981)

IRISH DANCERS

- Comerford School of Irish Dance, Vancouver, B.C.,
entertained 1754

IRRIGATION DISTRICTS

- Adverse possession, applicability, certain, deleted: Sub HB 932
- Assessments, delinquent, interest accrual provision, certain, removed: SB 4852
- Assessments, delinquent, interest computation, payment, delinquency list transmittal provisions: *Sub SB 4852, CH 102 (1982)
- Damages, official duties, defense, judgments, payment provision: Sub SB 3363
- Development charges, prohibited: Sub HB 312, *SB 4972, CH 49 E1 (1982)
- Energy conservation, projects, residential structures, assistance: SB 3059
- Energy conservation, residential structures, materials, equipment, acquisition, use, financial assistance authorized, conditions [See also Chapter 345 (1981)]: *HB 832, CH 42 (1982)
- Heating systems, establishment authorized, conditions specified: 2nd Sub SB 3033
- Property, real, recovery, statutory limitations exemption: Sub HB 932
- Short-term obligations, issuance authorized, existing bonds, interest provision: SB 4728, *Sub SB 4728, CH 216 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) ... Passed during 1981 Second Special Session.
 E1 (1982) ... Passed during 1982 First Special Session.
 E2 (1982) ... Passed during 1982 Second Special Session.

IRRIGATION DISTRICTS—cont.

- Withdrawal, property owners, certain, conditions prescribed, contractual payment obligation, duplicate notice filing, county auditor: Sub SB 4136
 Withdrawal, property owners, certain, conditions prescribed: SB 4136
 Works construction projects, federal, state contracts, proportional property repayment liability: HB 198

ISLAND

- Island counties, as specified, unequal commissioner districts allowed: HB 1180,
 *Sub HB 58, CH 226 (1982)
 Island library districts, authorized: *HB 999, CH 123 (1982)

JAIL COMMISSION, STATE

- Brennick, Daryl, member: GA 546, confirmed 386,429,880
 Facilities, county, remodeling authorized, as specified: *HB 1144, CH 87 (1982)
 Hornibrook, R E Ted, member: GA 503, confirmed 12,403,868
 Net capital savings, state, local governments, equal division, use provisions: Sub
 HB 774
 Physical plant, operating, other standards, review, modification directed: *Sub
 HB 774, CH 12 E2 (1981)
 Sullivan, Jeffrey C, member: GA 504, confirmed 12,575,868
 Volunteer counseling services, development, cooperation with corrections department: SB 4953

JAILS

- Contraband, possession, crime, first, second, third degrees, defined, penalties prescribed: HB 706
 Counties, remodeling authorized: *HB 1144, CH 87 (1982)
 Criminally insane, conditional release, local confinement pending placement: *HB
 381, CH 112 (1982)
 Detention facility, juvenile offenders, where confined, definition inclusion: HB 706
 Space requirements, net capital savings, division, use requirements: Sub HB 774
 Space requirements, operating, other standards, commission review, modification directed, as specified: *Sub HB 774, CH 12 E2 (1981)
 Standards, changes, legislature notification requirement: Sub HB 774

JAMES, DON

- Football coach, University of Washington, introduced,
 addressed senate 204

JAPAN

- Legislature, joint session, February 2, 1982, welcome, distinguished delegation,
 Hyogo prefectural assembly: *HCR 36 (1982)
 Trade agreements, far east nations, appropriate negotiations: *HJM 14 (1982)

JEFFERSON COUNTY

- Olympic county, established, formed from parts of Clallam and Jefferson counties: SB 4854, Sub SB 4854
 Superior court, judge, one authorized, salary payment requirement: *Sub SB
 4449, CH 139 (1982)
 Superior court, judges, Clallam/Jefferson counties, jointly, number increased: SB
 4449

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

JENSEN, SHIRLEY B.

Member, public employees' retirement board, GA 513, confirmed 14,476,871

JOHN, HUNTER E.

Member, juvenile disposition standards commission, GA 549,
confirmed 387,930,1007

**JOHN WAYNE TRAIL (See also MILWAUKEE RAILROAD
RIGHT OF WAY)**

Acquisition, unexpended funds, use, dredge spoil sites, Cowlitz, Coweeman,
Toutle rivers, purchase authority, sec 110: *Sub HB 811, CH 14 E2 (1981)
Lands, acquird by state, certain, adjacent land owners, acquisition authorized,
DNR policy adoption: SB 4719
Lands, adjacent John Wayne trail, leases authorized: SB 4771
Milwaukee road, select committee, establishment, members, duties, game, fisher-
ies, DNR, ecology, DOT, energy office, PRC cooperation: *SCR 143 E1
(1982)
Select committee, establishment, members, duties, game, fisheries, DNR, ecology,
DOT, energy office, PRC cooperation: SCR 143
Structures, disposal, administrative costs, DNR, reimbursement, appropriation
deposit, originating fund: Sub HB 804

JOHNSON, CHARLES V.

Member, sentencing guidelines commission, GA 520, confirmed 16,404,873

**JOINT OPERATING AGENCIES (See also WASHINGTON PUB-
LIC POWER SUPPLY SYSTEM)**

Collective bargaining, public employees provisions applicability: SB 4818
Elections, bond authorization, major public energy projects, costs, payment
required: *HB 1174, CH 88 (1982)
Executive board, reorganized: *SB 4996, CH 43 E1 (1982)
Interest, payments, maximum defined, applicable to all advances, contributions,
renewals after 1/1/81: SB 4463
Interest, payments, maximum defined, applicable to all advances, contributions,
renewals: *HB 847 CH 1 (1982), Sub SB 4463
Materials, equipment, supplies, work procurement, requirements revised: Sub HB
1053, *SB 4995, CH 44 E1 (1982)
Nuclear plants, management, executive board, governor appointment, operating
procedures: Sub HB 1217
Nuclear plants, 4, 5, construction moratorium, WPPSS, imposed: SCR 108
Obligations, rate impacts, hearings, notice, requirements: SB 3502, Sub SB 3502
Price-Anderson act, nuclear plant owner liability limitation, modification peti-
tioned: SJM 131
Projects, sale, agent for participants, authorized, conditions prescribed: Sub SB
4315
Public disclosure open meetings laws, inclusion: SB 4560
Public disclosure, open meetings laws, policy groups, public utilities membership
representation, inclusion: Sub SB 4560
Thermal power plant, construction, legislative approval, operating agency qualifi-
cation prerequisite, requirement: SB 3501
WPPSS monitoring, special committee created, duties specified, report: SCR 145

* Measures passed by Senate and House. Also Senate Resolutions adopted.
GA Gubernatorial Appointment.
SR Senate Floor Resolutions.
E2 (1981) . . . Passed during 1981 Second Special Session.
E1 (1982) . . . Passed during 1982 First Special Session.
E2 (1982) . . . Passed during 1982 Second Special Session.

JOINT OPERATING AGENCIES—cont.

WPPSS, nuclear power plant construction, temporary pause assessment
requested: SCR 106

JOINT SESSIONS

Canadian dignitaries, address by

Premier W. R. Bennett 486-491

Governor's message 4-6

Governor's message, state of the state 395-398

Japanese dignitaries, address by

Mr. Ichiji Ishii 614-616

JONES, RUDY

Member, board of trustees, Edmonds community college

district 23, GA 570, confirmed 392,610,886

JONES, SENATOR JOHN D.

Remarks, retirement of Senator Wilson 1773

Three-minute rule invoked 910,917-918,1161,1787

JUDGES

Appeals procedures revised, hearing examiners, renamed industrial appeals
judges: SB 4682, *SB 4947, CH 109 (1982)

Civil actions, mandatory arbitration, dollar amount increased, vote requirement:
*Sub HB 887, CH 188 (1982)

Court congestion task force, established: *HB 864, CH 187 (1982)

Courts of limited jurisdiction, candidate largest primary vote, name on general
election ballot: SB 4659

Judicial training, programs, standards, transferred from criminal justice training
commission, judicial standards training board: SB 4083

Juveniles, bail forfeiture program, authorized: SB 4444

Minors, under 14, employment, judicial permission requirement repealed: HB
1058, SB 4575

Organized crime policy board: Sub SB 3120

Police courts, city, appellate procedures revised: SB 4489

Pro tempore, appeals court judges, supreme court service permitted: *SB 4491,
CH 72 (1982)

Retirement, disability: *Sub SB 3743, CH 18 (1982)

Superior court, Clallam county, two authorized, salary, county payment: *Sub
SB 4449, CH 139 (1982)

Superior court, Clallam/Jefferson counties, jointly, number increased: SB 4449

Superior court, Ferry, Stevens, Pend Oreille counties judicial district, new posi-
tion, salary, one-half payment by counties, required: *Sub SB 4449, CH 139
(1982)

Superior court, Jefferson county, one authorized, salary, county payment: *Sub
SB 4449, CH 139 (1982)

JUDGMENTS

Homestead, redefined, exemption, abandonment provisions, execution sales,
notices, proceeds use requirements, affidavit filing: SB 3459

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

JUDGMENTS—cont.

Homestead, redefined, mobile home inclusion, exemption, abandonment provisions, execution sales, notices, proceeds use requirements, affidavit filing: Sub SB 3459

Interest rate, increased: SB 4543, *HB 916, CH 198 (1982)

Irrigation districts, damages, official duties, payment provision: Sub SB 3363

Local improvement districts, delinquent assessment foreclosure, summons requirement, alternative method repealed: *Sub HB 823, CH 91 (1982)

Prejudgment interest permitted: Sub SB 3078

Satisfaction, reporting requirements revised: SB 4744

JUDICIAL QUALIFICATIONS COMMISSION

Bryan, Greta Ann, member: GA 482, confirmed (1981), 494,863

JUDICIAL REVIEW

Initiatives, referendums, signature sufficiency, terminology updated: SB 4625

JUDICIAL SYSTEM

Court congestion reduction act: Sub SB 3110

Court congestion task force, established, members, duties, reimbursement, report submission: *HB 864, CH 187 (1982)

Law practice, legislature definition authorized: SJR 147

Training, programs, standards, transferred from criminal justice training commission, judicial standards training board: SB 4083

JUKEBOXES

Selections, payment, food, beverage establishments, wagering allowed, as specified: HB 1123

JURISDICTION

Arbitration, applications, district, superior courts: SB 4695, *HB 897, CH 122 (1982)

Justice courts, fines, imprisonment, increased: *SB 4493, CH 150 (1982)

Justice courts, maximum increased: Sub SB 3110

Justice courts, unlawful detainer actions, concurrent original jurisdiction: SJR 140

Public disclosure reports, suspension, cost-savings measure, certain small jurisdictions, provisions: SB 4554

Small claims courts, maximum increased: Sub SB 3110

JURORS AND JURIES

Civil actions, jury trial demand, filing fee increased, conditions specified: SB 4774

Industrial insurance appeals board, de novo jury trials deleted, superior court, oral arguments, written brief requirement: SB 4767

JUSTICE COURTS

Jurisdiction, fines, imprisonment, increased: *SB 4493, CH 150 (1982)

Jurisdiction, maximum increased: Sub SB 3110

Justices, pro tem, registered voter in county, requirement: Sub SB 3110

Unlawful detainer actions, concurrent original jurisdiction: SJR 140

Unlawful detainer actions, procedures, bond requirement, modified: SB 4556

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

JUSTICE, DAVID

Member, board of trustees, Walla Walla community college district 23, GA 570 1121

JUSTICES OF THE PEACE

Attorneys fees, certain, prohibition removed: SB 3114
 Part time, salaries increased, conversion to full time, county commissioner authority granted: *Sub HB 751, CH 29 (1982)
 Part time, salaries increased: Sub HB 751
 Pro tem, qualification, registered voter: Sub SB 3110

JUVENILE DISPOSITION STANDARDS COMMISSION

Dixon, Robert E, member: GA 547, confirmed 386,701,880
 Hanson, L Eugene, member: GA 548, confirmed 387,701,880
 John, Hunter E, member: GA 549, confirmed 387,930,1007
 Kinney, Jill M, member: GA 550, confirmed 387,702,881
 Petersen, N Clifford, member: GA 571, confirmed 418,702,887
 Peterson, Paul W, member: GA 558, confirmed 389,702,883
 Reich, Jay A, member: GA 551, confirmed 387,702,881
 Vandiver, H M, member: GA 559, confirmed 389,702,883

JUVENILES (See also SOCIAL AND HEALTH SERVICES, DEPARTMENT OF; CORRECTIONS; CORRECTIONS, DEPARTMENT OF)

Adoption requirements revised: Sub HB 451
 Bail forfeiture program, authorized, conditions specified: SB 4444
 Confinement, private-not-for-profit group homes: Sub HB 870
 Detention facility, juvenile offenders, where confined, definition inclusion: HB 706
 Disposition standards, adopted: SCR 105
 Diversion agreements, fines, inclusion, as specified, violations, immediate referral prosecuting attorney, community service modification: SB 4733
 Diversion programs, Snohomish, Pierce, Clark counties, funds distribution, sec 42: *Sub HB 811, CH 14 E2 (1981)
 Education, juveniles in detention: SB 4772
 Offenses, restitution provision: SB 4733
 Offenses, traffic infractions, court costs provision: SB 4733
 Parent-child relationship, termination: Sub HB 451
 Penalties, monetary, deposit, use provisions: SB 4733
 Progress House Association, Tacoma, 50 work/training release beds, funding continuation, sec 42: *Sub HB 811, CH 14 E2 (1981)
 Records, destruction, routine, as specified, permitted: SB 4733

KENNER, PAUL D.

Member, board of trustees, Whatcom community college district 21, GA 568, confirmed 391,532,886

KENNEWICK (See also ENERGY FAIR '83)

Pasco-Kennewick bridge, across Columbia river, preservation specifications: Sub SB 3027, 2nd Sub SB 3027

KINDERGARTEN

School year defined: *SB 3587, CH 158 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) ... Passed during 1981 Second Special Session.
 E1 (1982) ... Passed during 1982 First Special Session.
 E2 (1982) ... Passed during 1982 Second Special Session.

KING COUNTY

Convention and trade center, council created, members, study, Seattle location, recommendations requirements: SCR 116
Convention and trade center, nonprofit, corporation management, bond issuance, lodging excise tax, appropriation: *Sub HB 1015, CH 34 (1982)

KINNEY, JILL M.

Member, juvenile disposition standards commission, GA 550, confirmed 387,702,881

KISKADDON, SENATOR BILL

Personal privilege, regarding SB 4476 711

KITSAP COUNTY

Frances Hadden Morgan children's center, residential school establishment: *SB 4199, CH 89 (1982)

KNOBLAUCH, FORMER SENATOR REUBEN

Remarks, retirement of Senator Wilson 1771

LABELS

Toxic plants, retail sales, warning labels required, agriculture director rules adoption, violations, misdemeanor: SB 4601

LABOR AND INDUSTRIES, DEPARTMENT OF (See also CRIME VICTIMS; WORKERS' COMPENSATION - INDUSTRIAL INSURANCE AND SAFETY)

Apprenticeship division, responsibilities, craftsmen, traditional skills development: Sub SB 3030
Apprenticeship program, fy 1983 user fee funding requirement, sec 49: Sub SB 4264
Apprenticeship programs, fees, establishment authorized: *HB 796, CH 39 E1 (1982)
Appropriations, crime victims, employment standards apprenticeship programs, conditions specified, sec 8: SB 4709
Assault victims, under 16, seventy-two hour reporting requirement not applicable, benefit limitation exemption, medical examination payment, L&I appropriation: HB 151
Boilers, pressure vessels, general revisions: SB 4629
Contractors, bonds, district court actions authorized: SB 3115
Contractors, bonds, district court actions authorized, small claims department exclusion: SB 3115
Contractors, definition revised, unemployment compensation purposes: HB 1033, *Sub SB 4216, CH 18 E1 (1982)
Contractors, public works, wages, prevailing, job sites, no field office, posting requirements specified: SB 4501, *Sub SB 4501, CH 130 (1982)
Contractors, registration, manufactured home, factory-built structures, commercial coach, inclusion, as specified: Sub SB 4631
Contractors, registration, regulation provisions prescribed: SB 4631, Sub SB 4631
Displaced homemaker program, agency services description, marriage license fee, additional imposed, postsecondary education council appropriation: *HB 286, CH 15 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.
GA Gubernatorial Appointment.
SR Senate Floor Resolutions.
E2 (1981) ... Passed during 1981 Second Special Session.
E1 (1982) ... Passed during 1982 First Special Session.
E2 (1982) ... Passed during 1982 Second Special Session.

LABOR AND INDUSTRIES, DEPARTMENT OF—cont.

- Electrical inspection fees, cities, towns, use restriction specified: HB 1178
- Electricians, electrical contractors, definition revised, unemployment compensation purposes: HB 1033, *Sub SB 4216, CH 18 E1 (1982)
- Elevators, general revisions: SB 4630
- Employment standards program, 1983 user fee funding requirement, sec 49: Sub SB 4264
- Explosives, sales, gift, disposal, delivery, persons under eighteen, unlawful, use provisions: HB 22
- Farm labor contractors, licensing provisions repealed: HB 1058, SB 4574
- Forms reduction act, requirements: *SB 4559, CH 214 (1982)
- Health care facilities, employees, labor relations provisions repealed: HB 1058, SB 4580
- Industrial welfare committee, abolished, duties transferred: HB 1058, SB 4579, SB 4633, *Sub HB 762, CH 163 (1982)
- Manufactured homes, regulations revised, advisory boards created: SB 4902
- Medical devices, equipment, electrical installation provisions implementation: SB 3194
- Minors, under 14, employment, judicial permission requirement repealed: HB 1058, SB 4575
- Minors, work permits, rules establishment directed: HB 795
- Occupational information service, employment security department, designated agency, conditions specified: SB 4628, *Sub HB 920, CH 43 (1982)
- Rehabilitation review division created, requirements, priorities: HB 454, SB 3902
- Rehabilitation review office, created, vocational rehabilitation provisions modified, appropriation: *HB 454, CH 63 (1982)
- Self-insurance, school districts, educational service districts, permitted, regulatory rules adoption requirement: *Sub HB 849, CH 191 (1982)
- User fees, prevailing wage law administration, established, arbitration refusal, appropriation: *HB 795, CH 38 E1 (1982)
- User fees, prevailing wage, minor work permit administration, established: HB 795

LABOR AND LABOR RELATIONS (See also COLLECTIVE BARGAINING)

- AFDC, eligibility, income limits, strike prohibition: *2nd Sub HB 756, CH 10 E2 (1981)
- Centennial commission, established, appropriation: Sub SB 3031
- Employment services program, employment security department, appropriation: SB 4594
- Fact-finding procedures, educational employment relations act, established: SB 3405
- Farm labor contractors, licensing provisions repealed: HB 1058, SB 4574
- Ferry system, employees, labor relations provisions revised, marine employees commission created: SB 4609, Sub SB 4609
- Health care facilities, certain, regulations repealed: HB 1058, SB 4580
- Health care services, premiums, labor disputes, contract holder payment required: *SB 3795, CH 149 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

LABOR AND LABOR RELATIONS—cont.

- Joint operating agencies, materials, equipment, supplies, work procurement, requirements revised: Sub HB 1053, *SB 4995, CH 44 E1 (1982)
- Labor organizations, retaliation, persons reporting violations of law, prohibited: SB 4514
- Occupational information service, employment security department, designated agency, conditions specified: SB 4628, *Sub HB 920, CH 43 (1982)
- Public employees, general revisions, public employment labor relations service fund, created: SB 4954
- Reduced worktime program act: SB 4849
- Shared work, unemployment compensation benefits, payment authorized, as specified: SB 4745
- Shared work unemployment insurance program, established, employment security department, conditions specified, federal conflicts provision: SB 4593
- Unemployment compensation, disqualification, labor dispute, modified, exclusion conditions: HB 660
- Unemployment compensation, disqualification, labor dispute, modified (vetoed): HB 660, SB 3944
- Unemployment compensation, joint committee, created, responsibilities, report, members, termination: SB 4596
- Violations, persons reporting, retaliation prohibited, conditions specified: SB 4514
- Wages, prevailing, public works job sites, no field office, posting requirements specified: SB 4501, *Sub SB 4501, CH 130 (1982)
- Washington works year 1982, established: SCR 133
- Youth services corps, employment security department, established, conditions specified, appropriation: SB 4595

LABORATORIES

- Toxicological, state, transferred, state patrol: SB 4518

LAKE OSOYOOS

- International water control structure, acquisition, operation authorized, ecology department appropriation: SB 4846
- International water control structure, acquisition, operation authorized, ecology department existing appropriation, as specified: *Sub SB 4846, CH 76 (1982)

LAKES

- Capitol, rehabilitation, phase III, general administration department appropriation: *Sub HB 1230, CH 48 E1 (1982)

LAMON, HAROLD A. JR.

- Member, board of trustees, Highline community college
 district 9, GA 554, confirmed 388,545,882

LAND (See also NATURAL RESOURCES, DEPARTMENT OF; ENVIRONMENTAL IMPACT STATEMENTS)

- Accreted, Toutle, Cowlitz rivers, deposits, DNR impact study, report requirements: Sub SB 3824
- Accreted, Toutle, Cowlitz rivers, volcanic area, adjacent land owners, leases authorized, conditions prescribed, ownership claims prohibited: Sub SB 3824
- Alaskan Way seawall, certain easterly lands, SMA exemption: SB 4724

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

LAND—cont.

- Current use valuation, lands with water dependent uses, authorized: SJR 144
- Current use valuation, lands with water dependent uses, designated wetland, shoreland areas, constitutional contingency: SB 4762
- Dedication, permissible purposes enumerated, tax, fee provisions: Sub HB 1014, SB 4451
- Development charges, cities, towns, counties, imposition prohibited: Sub HB 312, Sub HB 1014, SB 4451, *SB 4972, CH 49 E1 (1982)
- Diminished value, private property resulting from altered drainage, local governments, building permit issuers, liability specified: SB 4916
- Federal land and water conservation, apportionments authorization petitioned: SJM 120
- Forest, definition revised, timber forest lands taxation purposes: SB 4608
- Forest, reforestation obligation, notice to buyer required: *Sub HB 419, CH 173 (1982)
- Odors, agricultural, certain, clean air act exemption, conditions specified, violations, appeal process, exemption exclusion, land sales, residential purposes: Sub SB 4044
- Plats, approval procedures, time extensions, certain, local ordinance adoption authority: Sub HB 1134
- Plats, preliminary, three-year approval period, retroactive applicability: Sub HB 1134
- Port districts, land sold, five-year short plat restriction exemption: SB 4746
- Scenically fragile lands, public lands commissioner acquisition directed: SB 3719, Sub SB 3719, 2nd Sub SB 3719
- School districts, higher education institutions, trust lands, purchase rights: *Sub SB 4864, CH 31 E1 (1982)
- State, leases, negotiated, commercial, industrial, residential purposes, permitted, notice requirement: Sub SB 4668
- State, sales, natural resources board, designated agency: Sub SB 4164
- Transition trust lands revolving fund act, DNR appropriation: Sub SB 4664

LAND DEVELOPERS (See also SUBDIVISIONS)

- Building permits, issuers, agencies, property, diminished value, altered drainage, liability specified: SB 4916
- Development charges, cities, towns, counties, imposition prohibited: Sub HB 312, Sub HB 1014, SB 4451, *SB 4972, CH 49 E1 (1982)
- Land dedication, permissible purposes enumerated, tax, fee provisions: Sub HB 1014, SB 4451
- Taxes, specified, application fees, benefit assessments, utility system connection charges, cities, counties, not prohibited: Sub HB 1014

LANDLORD-TENANT ACT, RESIDENTIAL (See also MOBILE HOMES and MOBILE HOME LANDLORD-TENANT ACT)

- Abandonment, property disposal provisions, modified: SB 4557

LANGUAGE - CONTRACTS

- Plain language consumer contracts act, enacted, conditions specified: SB 4853
- Rules, administrative, statutes, simple, clear, concise language requirement, Flesch reading ease test, minimum score requirement: Sub HB 835

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

LaROSE, DAVID R.

Chief administrative law judge, GA 485, confirmed 7,428,864

LAUNDRY SERVICES

University of Washington, private sector contracts allowed, supply management advisory board, arbitration: Sub HB 1216

LAW ENFORCEMENT

Blue lights, motor vehicles, game, fisheries departments, parks and recreation commission, use authorized: HB 825

Blue lights, motor vehicles, game, fisheries departments, parks, recreation commission, use authorized: Sub SB 3258

Blue lights, motor vehicles, game, fisheries departments, use authorized: HB 825, Sub SB 3258

Check stations, game department, operation authorized, conditions specified: SB 4550, *Sub SB 4550, CH 155 (1982)

Crime victims compensation, agencies responsibilities: 2nd Sub HB 828

Criminal justice, advisory commission, governor's office, established, conditions specified: SB 4515

Dependent persons, adult, abuse, report procedures: Sub SB 3582

Drivers, unlicensed, vehicle impoundment, rules adoption: SB 3549, *Sub SB 3549 CH 8 (1982)

Fire, failure to report, as specified, crime defined, penalty prescribed: SB 3292

Fisheries enforcement officers, authority, provisions: Sub SB 3258

Game enforcement officers, authority, provisions: Sub SB 3258

Humane societies, police powers specified: *HB 621, CH 114 (1982)

Inmates, leaves of absence, as defined, authorized, jurisdiction notification requirement: HB 967, SB 4785

Lights, other than red, motor vehicles, use designation, equipment commission authority: SB 4826

Lights, sirens, motor vehicles, use designation, equipment commission authority: *Sub SB 4826, CH 101 (1982)

Motor vehicles, nonresident violator compact, motorist violations: SB 4750, *Sub SB 4750, CH 212 (1982)

Motor vehicles, owners' lists, licensing department, availability, as specified: *SB 4544, CH 215 (1982)

Neighborhood assistance act, enacted, businesses, B&O tax credit, planning and community affairs director program authority: SB 4915

Parks and recreation commission, enforcement officers, authority, provisions: Sub SB 3258

Riots, penal institutions: *Sub HB 965, CH 49 (1982), SB 4778

Trespass, wildlife agents, authority: SB 4753

Uniform crime reports program: *Sub HB 1130, CH 125 (1982)

Wildlife agents, authority, provisions: Sub SB 3258

LAW ENFORCEMENT OFFICERS

Accidents, motor vehicles, official business, employment driving record, report requirement: *SB 3233, CH 52 (1982)

Escapees, arrest warrants, issuance authorized, detention pending extradition authorized: HB 970, SB 4779

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

LAW ENFORCEMENT OFFICERS—cont.

Indian tribes, certain, members, law enforcement activities, criminal justice training, authorized: SB 3717

LEOFF, county disability board, membership defined: *SB 4635 CH 12 (1982)

Police dog handlers, civil immunity, penalty for harming: *HB 289, CH 22 (1982)

Salmon harvesters commission, creation: Sub SB 3204

LAW REVISION COMMISSION

Created, members, terms, duties, annual legislative report: *HB 826, CH 183 (1982)

LAWS, TECHNICAL CORRECTIONS

Comparative fault, contribution among tort feasons: *SB 4691, CH 100 (1982)

Double amendment, RCW 66.24.500: SB 4723

Double amendments, motor vehicle offenses, corrected: SB 4490

Double amendments, various statutes, corrected: SB 4486, *HB 884 CH 10 (1982)

Statutory construction, rule adoption, statutory reference to another statute, requirements: *HB 500, CH 16 (1982)

LAXTON, H. DEAN

Member, board of trustees, Big Bend community college

district 18, GA 567, confirmed 391,610,885

LEASES (See also HARBOR AREAS; RENT AND RENTALS)

Aquatic lands joint legislative committee, members, duties, report, termination: *Sub SB 4824, CH 21 E1 (1982)

Buildings, publicly owned, design, renewable energy systems consideration: *SB 3156, CH 159 (1982)

Business inventory, leased personal property, not remanufactured, property held for lease, rental, definition exclusion: Sub SB 3402, *Sub HB 313, CH 174 (1982)

Contracts, plain language consumer contracts act, enacted: SB 4853

Crab licenses, commercial, Puget Sound licensing district, issuance requirements, leased, rented vessels provision: *SB 4464, CH 157 (1982)

Criminal justice training commission, training facilities: SB 4842, *HB 1066, CH 124 (1982)

Docks, upland owners, recreational use, state lands, additional rent or fees prohibited: *Sub SB 4824, CH 21 E1 (1982)

Facilities, state, energy audits, conditions specified, GA departmental duties: *2nd Sub HB 658, CH 48 (1982)

Harbor areas, aquatic lands, leases, power vested: Sub SB 3578

John Wayne trail, adjacent lands, authorized: SB 4771

Plain language consumer contracts act: SB 4853

Public land, negotiated, commercial, industrial, residential purposes, permitted, notice requirement: Sub SB 4668

Public land, tree fruit, grape production extensions, agriculture, grazing revisions allowed: *Sub SB 4163, CH 54 (1982)

Tidelands, harbor areas, requirements modified: SB 3565

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

LEASES—cont.

Urban lands, state-owned, program, sell, lease, or develop, commissioner, requested, budget shortfall purposes: SCR 111

LEAVES AND SABBATICALS (See also SICK LEAVE)

Inmates, leaves of absence, authorized: HB 967

Leave-without-pay program, governor authority: Sub HB 1226

Vacation, public employees, unused, accrued, termination of employment, payment prohibited, LEOFF exemption, accumulated use provision: *Sub SB 5007, CH 51 E1 (1982)

LEE, SENATOR ELEANOR

Remarks, retirement of Senator Wilson 1770

Statement for journal, regarding amendment to SHB 849 1339-1340

LEGAL AGE

Apple advertising commission, persons over 18, service allowed: Sub HB 148

Barber school instructor, licensing, persons over 18, allowed: Sub HB 148

Beef commission, persons over 18, service allowed: Sub HB 148

College facilities, living in, persons of legal age, requirement prohibited: Sub HB 148

Commodity boards, commissions, persons over 18, service allowed: Sub HB 148

Deceased persons, 18 or older, county auditor list required, voter registration cancellation purposes: Sub HB 148

Driving instructor, persons over 18, allowed: Sub HB 148

Fruit commission, persons over 18, service allowed: Sub HB 148

Hospitals, as specified, trustees boards, minimum age requirement removed: HB 1173

Hospitals, as specified, trustees boards, persons over 18, service allowed: Sub HB 148

Minimum age qualifications, all purposes except alcoholic beverage consumption, reduced to eighteen: Sub HB 148

Nursing home administrators, persons over 18, allowed: Sub HB 148

Pilot, vessels on state waters, persons over 18, allowed: Sub HB 148

State institutions, for blind, deaf, sensory handicapped, persons over 18, superintendent appointment authorized: Sub HB 148

Tree fruit research commission, persons over 18, service allowed: Sub HB 148

Wheat commission, persons over 18, service allowed: Sub HB 148

LEGAL PROFESSION

Law practice, legislature definition authorized: SJR 147

Law revision commission, created: *HB 826, CH 183 (1982)

LEGAL SERVICES

Law practice, legislature definition authorized: SJR 147

LEGISLATIVE BILLS

Consideration, 1982 first special session, limitations specified: *SCR 150 E1 (1982)

Governor, bills passed, action required, as specified: SJR 145

Reintroduction, 1981 second special session: *HCR 31 E1 (1981)

Reintroduction, 1982 first special session: *SCR 149 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

LEGISLATIVE BILLS—cont.

Reintroduction, 1982 regular session: *SCR 131 (1982) -

Transmittal, retention, house of origin, 1981 second special session: *SCR 128 E2 (1981)

Transmittal, retention, house of origin, 1982 regular session: *SCR 148 (1982)

LEGISLATIVE BUDGET COMMITTEE

Beer, wine sales, state liquor stores, authority removal, fiscal impact study directed, appropriation: Sub HB 1039

Cancer research, cigarette tax, increased, funds use, DSHS allocation authority, LBC program evaluation, report requirements: HB 885

Community economic revitalization board, created: SB 4622, *2nd Sub HB 906, CH 40 E1 (1982)

Geographic names board, performane audit requirements: HB 527

Insurance, proprietary coverage, state agencies, colleges, universities, other than UW, risk management office purchase requirement: HB 933, SB 4564

Minors, under 14, employment, judicial permission requirement repealed: HB 1058, SB 4575

Probation counselors, obsolete provisions deleted: SB 3019

Productivity board, created, employee suggestion program, incentive pay administration, conditions specified: Sub HB 837

Readable law program, performance audit required: Sub HB 835

Remodeling, relocation, air conditioning, etc, state agencies, expenditure prohibitions, approval requirements, sec 1 (vetoed): Sub HB 811

Rules, administrative, statutes, simple, clear, concise language requirement, Flesch reading ease test, minimum score requirement: Sub HB 835

State lottery, revenues apportionment, termination date specified, LBC effectiveness evaluation, report requirements: 2nd Sub HB 1103

Veterans' loan insurance, references deleted: SB 3017

500-bed medium security correction facility, plans evaluation: *Sub HB 808, CH 23 E1 (1982)

LEGISLATIVE ETHICS

Fund raising activities, during legislative sessions, limitations specified, recall election exemption: Sub HB 1125

Honorariums, reporting required, as specified: Sub HB 1122

Jurisdiction, former legislators, employees, inclusion, statute of limitations: SB 3921

LEGISLATORS (See also LEGISLATIVE ETHICS; also INDIVIDUAL MEMBER; also APPENDIX)

Contributions, acceptance during legislative session, prohibited, exemption provision: Sub SB 3844

Felony conviction, salary terminated, restoration provisions: SB 3864

Fund raising activities, during legislative sessions, limitations specified, recall election exemption: Sub HB 1125

Honorariums, reporting required, as specified: Sub HB 1122

Retirement, allowance computation, certain legislators, established: SB 4527

Retirement, allowance computation revised: SB 4820, SB 4949

Salaries, increases, delayed: Sub SB 5006

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

- LEGISLATURE** (See also LEGISLATIVE BILLS; GUBERNATORIAL APPOINTEES; GUBERNATORIAL APPOINTMENTS)
- Accreted land, Toutle, Cowlitz rivers, deposits, DNR impact study, report requirements: Sub SB 3824
 - Adjournment sine die, 1981 second special session, governor notified: *SCR 129 E2 (1981)
 - Adjournment sine die, 1982 first special session, governor notified: *HCR 54 E1 (1982)
 - Adjournment sine die, 1982 regular session, governor notified: *HCR 48 (1982)
 - Agency rules, proposed, review procedures prescribed: *HCR 52 E1 (1982)
 - Allotments, state agencies, as specified, governor revision authority, ways and means committees requirement: Sub SB 4265
 - Aquatic lands joint committee, members, duties, report, termination: *Sub SB 4824, CH 21 E1 (1982)
 - Budget stabilization account, transfers, deposits, legislative appropriation requirements, expenditures, uses specified: *Sub HB 1109, CH 36 E1 (1982)
 - Capital improvements, public lands, house office buildings, general administration department appropriation: *Sub HB 1230, CH 48 E1 (1982)
 - Columbia river gorge select committee, abolished: SB 4914
 - Coroner qualifications, joint select committee established, members, duties, report: SCR 132
 - Court congestion task force, established, members, duties, reimbursement, report submission: *HB 864, CH 187 (1982)
 - Earth-sheltered construction, joint select committee establishment, members, purposes, report: SCR 112
 - Educational policies, structure, management committee, temporary, created, members, duties, report, termination, appropriation: *SB 3609, CH 33 E1 (1982)
 - Emergency management, select committee, establishment, program consideration, members, report: SCR 142
 - Executive rules committee provisions: *HCR 53 E1 (1982)
 - Expo '86, joint select committee, established, members, duties, British Columbia exposition: *SCR 138 E1 (1982)
 - Federal reserve, audit, independent, requirement, U.S. supreme court, action, state, intent declared: *SCR 127 (1982)
 - Federal reserve, money, power to create, delegation, challenge, U.S. supreme court, action, state, intent declared: *SCR 127 (1982)
 - Financial responsibility for residential and nonresidential services joint select committee, created: *Sub SB 4418, CH 201 (1982)
 - Fire districts, funding, services, local government committees, study, report: *SB 4972, CH 49 E1 (1982)
 - Governor, legislative bills passed, action required, as specified: SJR 145
 - Highway construction, federal-aid apportionments, fiscal 1985, transportation commission consultation, transportation committee, directed: *Sub SB 4469, CH 19 (1982)
 - Inmate labor, state facilities, maintenance work, corrections, GA departments, legislative report required: HB 768
 - Interim business provisions: *HCR 53 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

LEGISLATURE—cont.

- Investments, state investment board, state economy stimulation, urged: *HCR 37 E1 (1982)
- Jails, standards, changes, legislature notification requirement: Sub HB 774
- John Wayne trail, select committee, establishment, members, duties, game, fisheries, DNR, ecology, DOT, energy office, PRC cooperation: SCR 143
- Joint operating agencies, thermal power plant, certain, construction, qualification prerequisite, legislative approval requirement: SB 3501
- Joint session, February 2, 1982, welcome, distinguished delegation, Hyogo prefectural assembly, Japan: *HCR 36 (1982)
- Joint session, January 11, 1982, directed, Governor Spellman, address: *HCR 32 (1982)
- Joint session, January 21, 1982, address by the Honorable W R Bennett, Premier of British Columbia, distinguished dignitaries welcomed: *HCR 34 (1982)
- Joint session, November 9, 1981, directed, Governor Spellman, financial situation address: *HCR 30 E2 (1981)
- Juveniles, disposition standards, adopted: SCR 105
- Law practice, legislature definition authorized: SJR 147
- Law revision commission, created, members, terms, duties, annual legislative report: *HB 826, CH 183 (1982)
- Legislative district, 35, boundaries clarified: *HB 775, CH 5 E2 (1981)
- Legislative facilities, joint committee, created: SB 3328, Sub SB 3328
- Legislators, contributions, acceptance during legislative session, prohibited, exemption provision: Sub SB 3844
- Local government, audit requirements, joint review, report: SCR 110, Sub SCR 110
- Mandated health care, joint select committee established: SCR 137, *Sub SCR 137 (1982)
- McNeil Island, permanent correctional site, acquisition petitioned: SCR 144
- Milwaukee road, select committee, establishment, members, duties, game, fisheries, DNR, ecology, DOT, energy office, PRC cooperation: *SCR 143 E1 (1982)
- National history contest, students participation, trade, industry, Eastern airlines support, May 8, 1982, history day, declaration: *SCR 146 (1982)
- NORAD, 25th region, McChord, members, past, present, saluted, congratulated: *HCR 47 (1982)
- Nuclear plants, 4, 5, construction moratorium, WPPSS, imposed: SCR 108
- Obsolete laws, recommendations, code reviser, directed: SCR 136
- Oil and gas joint committee formation, search, development, current laws study, report: *HCR 50 E1 (1982)
- Organized, 1981 second special session, governor notified: *SCR 123 E2 (1981)
- Organized, 1982 first special session, governor notified: *HCR 49 E1 (1982)
- Organized, 1982 regular session, governor notified: *SCR 130 (1982)
- Public investment task force, established, members, duties, interim, final reports, termination, appropriation: SCR 147
- Radioactive waste, joint select committee, established, members, duties, report: SCR 140
- Reapportionment and redistricting act: SB 3263, Sub SB 3263

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

LEGISLATURE—cont.

- Recreation guide, comparison other state agency publications, OFM, directed, legislative report: SB 3915
- Redistricting commission, establishment: Sub SJR 108, SJR 119
- Redistricting commission, independent, establishment authorized, conditions, duties: SJR 136
- Ride-sharing programs, other transportation system techniques, priority, policy established: SCR 135
- Rules, administrative, statutes, simple, clear, concise language requirement, Flesch reading ease test, minimum score requirement: Sub HB 835
- Rules, proposed, review committee responsibility: SB 3269
- Rules, proposed, secretary of the senate, chief clerk filing requirement removed, rules review committee filing requirement: *SB 4660, CH 221 (1982)
- Rules review process, establishment directed: SB 3269
- Salaries, postsecondary education council, responsibilities, studies, legislative reports: SB 3881
- Salmon enhancement activities, support program, fisheries department, development requested: SCR 125
- Salmon management plan, fisheries department, preparation requirement, legislative reports: Sub SB 3557
- Schools, abuse prevention programs, SPI: SCR 134, Sub SCR 134
- Senate, majority leader, state finance committee member: SB 4435
- Session laws, journals, distribution, statute law committee requirements: HB 1080, *SB 4717, CH 32 E1 (1982)
- Sexual abuse, children, prevention, SPI, special curriculum development directed: SCR 124
- Speaker, house, state finance committee member: SB 4435
- State building code, joint select committee, established, members, duties, report: SCR 139
- Statutes, rules, state, legislative committees, free copies allowed, session laws, house, senate journals distribution requirements: *SB 4717, CH 32 E1 (1982)
- St. Helens, disaster relief, select committee establishment: *SCR 126 E2 (1981)
- Tax advisory council, membership, duties revised, expenditure payment provision repealed: *SB 4992, CH 41 E1 (1982)
- Telephone systems, joint select committee, establishment, duties, report: *HCR 33 (1982)
- Timber sales, procedures, modifications, DNR, directed: *HCR 42 (1982)
- Transportation committee, additional member authorized, officers election, executive committee membership, duties specified: Sub SB 3670
- Unemployment compensation, joint committee, created, responsibilities, report, members, termination: SB 4596
- Urban lands, state-owned, program, sell, lease, or develop, commissioner, requested, budget shortfall purposes: SCR 111
- Voting boundary commission act: *Sub HB 787, CH 2 (1982), SB 4426
- Washington works year, 1982, established: SCR 133
- Ways and means committee, house, senate, chairman, state finance committee member: SB 4435
- WPPSS monitoring, special committee created, duties specified, report: SCR 145

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

LEOFF SYSTEM (See also RETIREMENT AND PENSIONS,**DEPARTMENT OF RETIREMENT SYSTEMS)**

Disability board, county, membership defined: *SB 4635 CH 12 (1982)

Disability determination, total incapacitation, director authority: *SB 4635 CH 12 (1982)

Employer funding, modified: SB 4943

Lump sum payments, authorized, conditions specified: *SB 4638, CH 144 (1982)

Retirement, general revisions: *SB 4640, CH 52 E1 (1982)

Vacation leave, unused, accrued, termination of employment, payment prohibited, LEOFF exemption, accumulated use provision: *Sub SB 5007, CH 51 E1 (1982)

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LID's, formation, financing, procedures modified, petitions, bonds, interest rates, foreclosure, annual levy: HB 519

Port districts, industrial development levies, allowable time period lengthened: Sub SB 4963

Port districts, industrial development levies, allowable time period lengthened, voter approval requirement: *Sub SB 4963, CH 3 E1 (1982)

Road districts, excess levies authorized: HB 370

Schools, bond issues, certain, forty percent validation requirement removed: HB 997

Schools, excess levy authority, phaseout schedule: SB 3848

Schools, excess levy forty percent validation requirement, removed: HJR 20

Schools, excess levy limitation, exceeding, phaseout: Sub SB 3848

Schools, excess levy maintenance and operation, increase authorized: SB 4623

State, property tax, apportionment adjustments: *SB 4634, CH 28 E1 (1982)

106% limit, determination provisions modified: Sub HB 17

LEWIS, FORMER SENATOR R. L. "BOB"

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LIBRARIES AND LIBRARY DISTRICTS (See also STATE**LIBRARY; DISTRICTS)**

Cities, towns, contracts for services, boards of trustees not required: SB 4606

Codes, filing, local government, one copy requirement, additional copies, library, city offices, if considered necessary by legislative authority: *Sub HB 58, CH 226 (1982)

ESD's abolished, duties transferred, SPI, property, library, transportation provisions: SB 4731

Island library districts, authorized, conditions specified: *HB 999, CH 123 (1982)

Records, public disclosure exemption: SB 4683, Sub SB 4683, *Sub HB 476, CH 64 (1982)

LICENSE PLATES

Disabled persons, use: SB 3001

Horseless carriage plates, pre-1941 vehicles, issuance permitted: SB 4547

Horseless carriage plates, vehicles not less than 40 years old, issuance permitted: *SB 4547, CH 143 (1982)

Motor vehicle excise tax, reduction, owner out of country, vehicle not used, as specified, permitted: SB 4478

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

LICENSE PLATES—cont.

Renewal, prohibited until parking violations satisfied: *Sub HB 268, CH 14 E1 (1982)

Veterans, disabled, prisoners of war, free, authorized: Sub SB 3035, SB 4720, *HB 623, CH 115 (1982)

LICENSES AND LICENSING, DEPARTMENT OF (See also DRIVERS' LICENSES; DRUNK DRIVERS; LICENSE PLATES; LIQUOR AND LIQUOR CONTROL BOARD; MOTOR VEHICLES)

Accidents, motor vehicles, official business, fire fighters, WSP, law enforcement officers, employment driving record, report requirement: *SB 3233, CH 52 (1982)

Advisory committees, director, appointment authority: *Sub HB 778, CH 227 (1982)

Auctioneer's licensing act, commission established, members, license regulations, appropriation: *Sub HB 436, CH 205 (1982)

Audiologists defined: Sub HB 1150

Automation equipment, vehicle title, license applications use, purchase, maintenance appropriation: *SB 4549, CH 57 (1982)

Automotive repairs, regulations revised, customers' rights, appropriation: *HB 375, CH 62 (1982)

Barbers, instructor licensing, persons over 18, allowed: Sub HB 148

Barbers, permittees, requirements revised, reciprocal license provisions, examination requirement: SB 4614

Businesses, occupations, trades, unincorporated areas, authorized, conditions prescribed: SB 4421

Business license center, master license system, information service provisions: *Sub HB 878, CH 182 (1982)

Camping clubs, contracts, regulations revised, appropriation: *HB 1017, CH 69 (1982)

Cigarette wholesalers, fees increased, suspension periods, appropriation: *HB 1092, CH 16 E1 (1982)

Collection agency board, abolished, functions transferred: Sub HB 778

Construction equipment operator safety licensing act, appropriation: SB 4857

Cosmetology regulations, revised, practice redefined, director duties: *2nd Sub HB 378, CH 225 (1982)

Crab fishing, commercial, Puget Sound licensing district, issuance requirements: HB 842, SB 4464

Crab fishing, commercial, Puget Sound licensing district, issuance requirements, leased, rented vessels provision: *SB 4464, CH 157 (1982)

Day care homes, private family, regulated, registration, fire, health inspections, certification limitation: SB 4434

Drivers' licenses, occupational, regular license revoked under implied consent law, issuance permitted (vetoed): HB 537

Drivers' licenses, occupational, regular license revoked under implied consent law, issuance permitted: Sub SB 4153

Drivers, unlicensed, vehicle impoundment, rules adoption: SB 3549, *Sub SB 3549 CH 8 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

LICENSES AND LICENSING, DEPARTMENT OF—cont.

- Employment agency advisory board, abolished, functions transferred: *Sub HB 778, CH 227 (1982)
- Equipment commission, vice-chairman, state patrol chief's absence, licensing director or transportation secretary, or designated deputies, appointment required: *SB 4551, CH 106 (1982)
- Farm labor contractors, provisions repealed: HB 1058, SB 4574
- Fees, business, professional, authorized limits revised: SB 4561, *Sub SB 4561, CH 162 (1982)
- Fireworks, permit required before licensing: SB 3341
- Fireworks, regulated: SB 4597, Sub SB 4597, *Sub HB 1149, CH 230 (1982)
- Fisheries department, license functions transferred, eligibility, suspension, revocation, buy back authority retained: Sub SB 3751
- Fishing, free, persons confined to wheelchairs: SB 4751
- Fishing, game, permits, licenses, single individual, one document, applicable endorsements, combination directed: Sub SB 3751
- Forms reduction act, requirements: *SB 4559, CH 214 (1982)
- Funeral directors, embalmers: *Sub HB 871, CH 66 (1982)
- Game department, license functions transferred, eligibility, suspension, revocation authority retained: Sub SB 3751
- Grocery stores, pilot program, CED, authorization repealed: SB 4679, *Sub HB 878, CH 182 (1982)
- Hearing aid advisory council, abolished, functions transferred: Sub HB 778
- Hearing aid council, members, public representation required: Sub HB 1150
- Hearing aids, regulations revised: Sub HB 1150
- Horseless carriage plates, pre-1941 vehicles, issuance permitted: SB 4547
- Horseless carriage plates, vehicles not less than 40 years old, issuance permitted: *SB 4547, CH 143 (1982)
- Insurance examining, rating bureaus, requirements: HB 230
- Insurance, licensees, felony convictions, license revocation provision: *Sub HB 902, CH 181 (1982)
- Marriage: SB 4834, *3rd Sub HB 179, CH 4 (1982), *HB 286, CH 15 E1 (1982)
- Motorcycle equipment, requirements, exemptions, helmet sales, goggles, glasses, shields wearing, license endorsements: Sub SB 3381, SB 4692, *Sub SB 4692, CH 77 (1982)
- Motorcycle safety education account, advisory committee, created, operator training program, licensing department appropriation: SB 4692, *Sub SB 4692, CH 77 (1982)
- Mountain goats, sheep, game license fees increased, payment requirements: SB 4726
- Multistate motor fuel tax agreement, DOT participation authorized, conditions specified: SB 4562, *Sub SB 4562, CH 161 (1982)
- Nonprofit arts organizations, as defined, class L liquor license, established, fee imposed: HB 342
- Nursing homes, DSHS revisions: *Sub HB 760, CH 11 E2 (1981)
- Optometrists, report form, medical doctor referral, preparation, distribution, director, required: SB 4500

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

LICENSES AND LICENSING, DEPARTMENT OF—cont.

- Physical therapy board, membership increase, professional qualifications, continuing education, license suspension: SB 3332, Sub SB 3332
- Pistols, concealed, license requirements, abode, business, vehicle provisions: SB 4470, *HB 600, CH 47 E1 (1982)
- Podiatry board, established, podiatry licensure requirements: SB 4365, *Sub HB 174, CH 21 (1982)
- Practical nurse examiners board, regulations revised: Sub HB 274
- Real estate, time-sharing regulated, appropriation: Sub SB 3775, 2nd Sub SB 3775
- Real estate, time-sharing regulated: SB 3775
- Reciprocity commission, abolished, functions transferred: *Sub HB 778, CH 227 (1982)
- Secured transactions, financing statements, amendments, certificates, fees, filing officer's duties, modified, appropriation: *HB 822, CH 186 (1982)
- Snowmobiles, registration fees increased, dealer registration denial, penalties, authorized, decal, failure to show, fine increased: *HB 896 CH 17 (1982)
- Speech-language pathologists and audiologists act, board established: SB 3603, Sub SB 3603
- State lottery: 2nd Sub HB 1103, SB 4475, SB 4519
- Trade names, registration required, conditions specified, fees, director rules adoption, appropriation: SB 4528
- Veterinarians, regulations revised: SB 3373, *SB 4718, CH 134 (1982)

LIENS

- Conveyance tax, exempted transactions stated: SB 4038
- Property tax, deferrals, liens, interest rate established: Sub HB 506
- Real property, sales, local excise tax imposed, lien provision: *SB 4972, CH 49 E1 (1982)
- Social and health services financial responsibility act, enacted, recipients, responsible persons, conditions: Sub HB 759

LIEUTENANT GOVERNOR (See also PRESIDENT OF THE SENATE; also CHERBERG, LIEUTENANT GOVERNOR JOHN A.)

- Highway lands, state, residential construction encouraged, zoning variances needed: SB 4568
- Joint operating agencies, public disclosure, open meeting laws, policy groups, public utility membership representation, inclusion: Sub SB 4560
- Joint operating agencies, public disclosure, open meetings laws, inclusion: SB 4560
- Presiding, joint sessions 4-6,395-398,486-491,614-616
- Threats, as specified, governor, governor-elect, lieutenant governor, successors, penalties prescribed, WSP investigation: HB 745
- Threats, as specified, governor, immediate family, governor-elect, lieutenant governor, successors, class C felony, WSP investigation: *HB 745, CH 185 (1982)

LIFE-SUSTAINING PROCEDURES

- Legal responsibilities provision revisions: HB 319

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) . . . Passed during 1981 Second Special Session.
- E1 (1982) . . . Passed during 1982 First Special Session.
- E2 (1982) . . . Passed during 1982 Second Special Session.

LIGHTS

- Blue lights, game, fisheries departments, motor vehicles, use authorized: HB 825, Sub SB 3258
- Blue lights, game, fisheries departments, parks and recreation commission, use authorized: HB 825
- Energy efficient thermal, lighting standards, commercial, residential buildings, in effect: SB 3310, SB 4113
- Law enforcement vehicles, equipment commission use designation, authority: *Sub SB 4826, CH 101 (1982)
- Street lighting systems, sewer, water districts, establishment authorized, resolution, petition in opposition provisions: *SB 4602, CH 105 (1982)

LIQUOR AND LIQUOR CONTROL BOARD (See also ALCOHOL FUEL; ALCOHOL USE AND ALCOHOLISM)

- Alcoholic beverage business, banks, savings and loan associations, institutional investors, financial interest, allowed: SB 4729, *Sub HB 1063, CH 85 (1982)
- Alcoholic beverage business, banks, savings and loan associations, state, federal mutual savings banks, institutional investors, financial interest, as specified, allowed: SB 4729
- Alcoholic beverage business, beer, wine, retail business financial interest prohibitions removed: *Sub HB 1063, CH 85 (1982)
- Alcoholic beverage business, importers, wholesalers, financial interest in bottling permitted: *Sub HB 1063, CH 85 (1982)
- Alcoholic beverage business, importers, wholesalers, permitted, financial interests defined: SB 4735
- Alcoholic beverage business, persons with financial interests, retail business financial interest prohibitions repealed: Sub SB 4546
- Alcoholic beverage business (wine), importers, wholesalers, permitted financial interests defined: SB 4546
- Beer and malt liquor, redefined, strong beer defined: *Sub HB 571, CH 39 (1982)
- Beer and wine sales, state liquor stores, authority removal, LBC fiscal impact study directed, appropriation: Sub HB 1039
- Beer and wine sales, state liquor stores, authority removed, effective as specified, LBC fiscal impact study directed, appropriation: Sub HB 1039
- Beer instruction, licensees, breweries, wholesalers, permitted: SB 4526, *SB 4748, CH 26 E1 (1982)
- Containers, beverage, pull-tab, sales prohibited, violations, ecology department enforcement, rules adoption: *Sub HB 448, CH 113 (1982)
- Culinary, restaurant courses, alcoholic beverage use prescribed: *Sub HB 1063, CH 85 (1982)
- Draft beer dispensing equipment, advertising, manufacturer, wholesaler, importer, installation authorized, G, J licensees service acceptance authorized: SB 4763
- Draft beer dispensing equipment, advertising, manufacturer, wholesaler, importer, installation authorized, G, J licensees service acceptance authorized: *Sub HB 1063, CH 85 (1982)
- Gambling activities, class B and H licensees, specified: SB 4759, Sub SB 4759
- Hannah, Robert D, chairman: GA 577, confirmed 611,817,1006

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

LIQUOR AND LIQUOR CONTROL BOARD—cont.

- Hospitals, nursing homes, beer, wine by glass, patients, family members, visitors, offering allowed: *Sub HB 1063, CH 85 (1982)
- Licenses, applications, within 500 feet, churches, schools, public institutions, written notice requirement: *Sub HB 1063, CH 85 (1982)
- Licenses, class B, businesses, gambling activity specified: SB 4759, Sub SB 4759
- Licenses, class H, bona fide club organizers, authorized: SB 4513
- Licenses, class H, businesses, gambling activity specified: SB 4759, Sub SB 4759
- Licenses, class H, persons over 18, taverns, cocktail lounges, entrance, food pick up purposes, allowed, unless locally prohibited: Sub HB 1063
- Licenses, class H, persons over 18, taverns no adult entertainment, entrance, food pick up purposes, allowed, unless locally prohibited: Sub HB 1063
- Licenses, class H, restaurants, private members only, authorized, discrimination provision: *Sub HB 1063, CH 85 (1982)
- Licenses, class J, unopened wine bottle sales permitted, limitations, nonprofit organization restriction removed: *Sub HB 1063, CH 85 (1982)
- Licenses, class K, provisions modified: SB 4703
- Licenses, class P, created, wine orders, delivery, fee established, delivery prohibitions: *Sub HB 1063, CH 85 (1982)
- Malt liquor brewers, license fee prescribed: *Sub HB 1063, CH 85 (1982)
- Minimum age qualifications, all purposes except alcoholic beverage consumption, reduced to eighteen: Sub HB 148
- Nonprofit arts organizations, class L license established, fee imposed: HB 342
- Purchase, consumption on unlicensed premises, special permit issuance authorized: *Sub HB 1063, CH 85 (1982)
- Spirits, wine, alcohol amount, volume definition: *Sub HB 571, CH 39 (1982)
- Strong beer, malt beer, more than 8% alcohol by volume, definition: Sub HB 571
- Surtax, temporary, imposed: *SB 4250, CH 35 E1 (1982), Sub SB 4368
- Warehouses, stores, acquisition, exempt from GA director authority: *Sub HB 810, CH 41 (1982)
- Wine, beer, sales, state liquor stores, authority removal, LBC fiscal impact study directed, appropriation: Sub HB 1039
- Wine, beer, sales, state liquor stores, authority removed, effective as specified, LBC fiscal impact study directed, appropriation: Sub HB 1039
- Wine, domestic wineries, class J license events, service allowed: SB 4755
- Wine, grape production, industry research, instruction programs, WSU, provisions, tax disbursement, agriculture college: Sub HB 893, Sub SB 3408
- Wine instruction, licensees, wineries, wholesalers, permitted: SB 4526
- Wine instruction, licensees, wineries, wholesalers, permitted, viticulture, enology study groups provisions: *SB 4748, CH 26 E1 (1982)
- Wine instruction, licensees, wineries, wholesalers, permitted, viticulture, enology study groups, tax payment provision: Sub SB 4526
- Wine licensees, G, J, tasting exhibitions, judging events, manufacturer, wholesaler, importer service provisions: SB 4763, *Sub HB 1063, CH 85 (1982)
- Wine licenses, J, wine dispensing equipment, advertising, manufacturer, wholesaler, importer, installation, service acceptance authorized: Sub SB 4755
- Wine research, portion of liquor tax imposed, termination date established: Sub HB 893
- Wineries, domestic, manufacture, retail, wholesale, export sales allowed: SB 4747

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

LIQUOR AND LIQUOR CONTROL BOARD—cont.

- Wineries, domestic, wholesale, retail class J licenses provision: Sub SB 4747,
*Sub HB 1063, CH 85 (1982)
- Wine, wholesalers, tax changed: Sub SB 3408

LITTER

- Model litter control and recycling program, sunset termination date established
(vetoed): Sub HB 875

LIVESTOCK

- Brucellosis adult vaccinated cattle, retesting requirements: *Sub SB 4046, CH
131 (1982)
- Cattle assessments, increased, exemption provision: *HB 947, CH 47 (1982)
- Cattle assessments, increased, notice publication, state register, newspapers: HB
947, SB 4439, Sub SB 4439
- Commercial feed act, general revisions: *Sub HB 1131, CH 177 (1982)
- Commission merchants, agricultural products definition, horses, donkeys, mules
exclusion, removed: SB 4438, *Sub SB 4438, CH 194 (1982)
- Commission merchants, dealers, payment requirements, prohibited acts: *Sub SB
4437, CH 20 (1982)
- Commission merchants, dealers, payment requirements: SB 4437
- Commission merchants, horse racing, nonapplicability: *Sub SB 4438, CH 194
(1982)
- Commission merchants, livestock dealers, additional bond requirement: SB 4438,
Sub SB 4438
- Commission merchants, payment requirement: SB 4437
- Dealers, additional bond requirement: *Sub SB 4438, CH 194 (1982)
- Horses, identification symbols: Sub SB 3545
- Public land, leases, grazing, revisions allowed: *Sub SB 4163, CH 54 (1982)
- Sales, disease free, no implied warranties provision: *SB 4436, CH 199 (1982)

LOANS

- Budget stabilization act, political subdivisions: Sub HB 1109
- Cities, towns, public utility projects, expected revenues, borrowing on allowed:
*HB 554, CH 24 (1982)
- Community economic revitalization board, created: SB 4622, *2nd Sub HB 906,
CH 40 E1 (1982)
- Conservation and small scale renewable energy development, advisory committee
appointment: SB 3287, Sub SB 3287
- Credit unions, revisions: SB 3151
- Energy conservation, renewable energy sources, loans, state, local governments,
authorized: SJR 111, Sub SJR 111, 2nd Sub SJR 111
- Guaranteed student loans, continuation petitioned: SJM 118, *Sub SJM 118
(1982)
- Higher education institutions, miscellaneous changes prescribed, council for post-
secondary education student financial aid supplementation appropriation:
*2nd Sub HB 784, CH 37 E1 (1982)
- Interest rate, different, not agreed to in writing, increased: SB 3066
- Motor vehicles, owners' lists, licensing department, availability: *SB 4544, CH
215 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

LOANS—cont.

- Savings and loan associations, modified: SB 4662, *Sub HB 833, CH 3 (1982)
- Small business equity corporation act: SB 4876
- Small business investment act: SB 4874
- Veterans' loan insurance, references deleted: SB 3017

LOBBYISTS AND LOBBYING

- Booklet, biennial publication required, private or public entity publication selection allowed, lobbyists' revolving fund appropriation: Sub SB 4142
- Grass roots campaigns, periodic reports, registration statements, additional information requirements: SB 4422
- Public disclosure, registration, financial statements, revisions: *Sub SB 3249, CH 147 (1982)
- Public disclosure, reports, time frame: *Sub SB 3249, CH 147 (1982)
- Public disclosure, violations, uniform penalties application required: SB 4473
- Registration, reporting exemptions, certain, criteria revised: Sub SB 4142
- Reporting, certain exclusion: Sub SB 4142
- State agencies, restrictions imposed, as specified: SB 4850

LOBE, LUDWIG

- Member, health care facilities, board, GA 497, confirmed 10,475,867
- Member, state personnel board, GA 506, confirmed 13,475,869

LOCAL IMPROVEMENT DISTRICTS

- Assessment deeds, issuance, property owner, occupant, notice requirement: SB 4394
- Assessments, collection, provisions modified: SB 3594
- Assessments, delinquent, foreclosure, summons requirement, alternative method repealed: *Sub HB 823, CH 91 (1982)
- Assessments, installment payments, principal, interest provisions: *SB 4488, CH 96 (1982)
- Assessments, special benefit, residence located within utility LID primarily for industrial purposes, exemption, user fee provision: SB 4462
- Formation, financing, procedures modified, petitions, bonds, interest rates, foreclosure, annual levy: HB 519

LOCK-OUT (See also LABOR AND LABOR RELATIONS)

- Ferry system, employees, labor relations provisions revised, marine employees commission created: SB 4609, Sub SB 4609
- Health care services, premiums, labor disputes, contract holder payment required: *SB 3795, CH 149 (1982)
- Unemployment compensation, disqualification, labor dispute, modified, exclusion conditions: HB 660

LOGAN, DR. ARCH JR.

- Member, hospital commission, GA 498, confirmed 11,475,867

LOOK-A-LIKE DRUGS

- Imitation drugs, defined, crimes, penalties, specified, exempted uses stated: *Sub HB 15, CH 171 (1982)
- Imitation drugs, defined, felonies, misdemeanors specified, regulation necessity, advertising, other provisions: Sub HB 820

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

LOPOSER, AVERY K.

Member, board of trustees, Olympic community college district 3, GA 585, 1121

LOTTERIES

State lottery, establishment, gambling commission, lottery director powers, fund and revolving fund created, appropriation: SB 4519

State lottery, establishment, gambling commission, lottery supervisor powers, fund and revolving fund created, appropriation: SB 4475

State lottery, establishment, gambling commission, services, fund and revolving fund created, referendum provision, appropriation: 2nd Sub HB 1103

State lottery, revenues apportionment, termination date specified, LBC effectiveness evaluation, report requirements: 2nd Sub HB 1103

LOW INCOME (See also INCOME)

Candidates, elective office, indigent, filing: SB 4472, Sub SB 4472

Energy allowance, public assistance: SB 4658, *HB 980, CH 127 (1982)

Housing finance commission, established, appropriation: 2nd Sub SB 3084

Housing program, federally supported, additional state support, appropriation, sec 47: Sub SB 4264

Housing program, federally supported, additional state support, appropriation, sec 51: *Sub SB 4369, CH 50 E1 (1982)

**LOWER COLUMBIA COMMUNITY COLLEGE DISTRICT NO. 13,
BOARD OF TRUSTEES**

Farland, Kenneth A, member: GA 564, confirmed 390,531,885

LUDE, MILO

Director, intercollegiate athletics, University of Washington, introduced, addressed senate 204

LUNG DISEASE

Parking, disabled persons, specified lung diseases, handicapped parking privileges eligibility: SB 4305

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MAGE, BETTY J.

Member, council for postsecondary education, GA 580, confirmed 931,1120,1199

MAIL

Mount St. Helens, eruption, commemorative stamp issuance petitioned: *HJM 15 (1982)

Threats, governor, immediate family, governor-elect, lieutenant governor, successors, class C felony, WSP investigation: *HB 745, CH 185 (1982)

MAINTENANCE AND OPERATION

Agencies, state, contracts, private sector, permitted, financial savings provision: SB 3407

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

MAINTENANCE AND OPERATION—cont.

- School districts, excess levy limitation, exceeding, phaseout: Sub SB 3848
- School districts, excess levy maintenance and operation, increase authorized: SB 4623
- School districts, excess levy validation, forty percent requirement removed: HJR 20

MALENG, NORM

- Member, sentencing guidelines commission, GA 521, confirmed 16,404,888

MALICIOUS PROSECUTION

- Grounds revised, damages, attorneys fees: HB 563

MANUFACTURERS AND MANUFACTURING

- Alcoholic beverage businesses, financial interests: SB 4546, SB 4735, *Sub HB 1063, CH 85, (1982)
- Coupons, certain, trading stamp license exemptions: SB 4742
- Draft beer dispensing equipment, advertising, installation, class G, J licensees, provisions: SB 4763, *Sub HB 1063, CH 85 (1982)
- Investment projects, tax deferrals, certain, repayment requirements revised, exemption provision: SB 4441
- Investment tax deferrals, tax payment requirements: SB 4402
- Motor vehicles, owners' lists, licensing department, availability, as specified: *SB 4544, CH 215 (1982)
- Wine licenses, J, wine dispensing equipment, advertising, manufacturer, wholesaler, importer, installation, service acceptance authorized: Sub SB 4755
- Wine service, class G, J licensees, tasting exhibitions, judging events, provisions: SB 4763, *Sub HB 1063, CH 85 (1982)
- Wineries, domestic, manufacture, retail, wholesale, export sales allowed: SB 4747
- Wineries, domestic, wholesale, retail class J licenses provision, compliance requirement: Sub SB 4747
- Wineries, domestic, wholesale, retail class J licenses provision: *Sub HB 1063, CH 85 (1982)

MAPS

- Fees, DNR, authorized, engineering services division duties: *Sub HB 1012, CH 165 (1982)

MARRIAGE (See also DISSOLUTION OF MARRIAGE)

- License applications, waiting period reduced: SB 4834
- License fees, additional imposed, child abuse and neglect council, termination set: *3rd Sub HB 179 CH 4 (1982)
- License fees, additional imposed, displaced homemaker program, termination set: *HB 286, CH 15 E1 (1982)
- Retirement, public employment, benefits, court termination, member, payment in full, member's new spouse provision: SB 4503

MATHEWS, HUGH L.

- Member, board of trustees, Green River community college district 10, GA 537, confirmed 21,476,877

MAXWELL, ROGER F.

- Member, corrections standards board, GA 491, confirmed 9,530,865

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

McCARTHY, JOHN C.

Chairman, hospital commission, GA 557, confirmed 9,929,1006

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 Personal privilege, regarding Bonnie Riach, instrumental
 in 3rd SHB 179 787
 Personal privilege, regarding extension of unemployment compensation
 benefits 562-564
 Remarks, retirement of Senator Wilson 1769
 Remarks, regarding SB 4374 50

McEACHRAN, DAVID S.

Member, corrections standards board, GA 492, confirmed 9,530,866

McEACHRAN, ROBERT B.

Member, board of regents, Washington State University, GA 529,
 confirmed 19,660,875

McGOUGH, HUGH R.

Member, public disclosure commission, GA 511, confirmed 14,39,1014,1199

McKINLEY, MARY

Member, board of trustees, Bellevue community college district 8, GA 536,
 confirmed 20,447,877

McKINNEY, REVEREND SAMUEL B.

Member, commission for vocational education, GA 527, confirmed . . . 18,701,874

MCNEIL ISLAND CORRECTIONAL FACILITY AND MCNEIL ISLAND

Acquisition petitioned: SCR 144
 Repairs, heating, ventilating system, energy audit, corrections department appro-
 priation: *Sub HB 808, CH 23 E1 (1982)
 Salmon rearing net pen complex (vetoed): Sub HB 1230

MEDICAL EXAMINERS

System, state, established, conditions specified: SB 4991

MEDICARE

Supplemental insurance coverage, insurance commissioner standards adoption
 directed, benefit standards, required coverage statutes repealed: *Sub HB
 891, CH 200 (1982)
 Supplemental insurance coverage, preexisting condition redefined: Sub HB 891

MELIOR, ELAINE GARVIE

Member, corrections standards board, GA 493, confirmed 9,929,1006

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

MEMORIALS

- Budget, balanced, as specified, constitutional amendment petitioned: HJM 1
- Budget, federal, balanced, via constitutional amendment or constitutional convention call limited to balanced budget amendment, petitioned: HJM 1, SJM 105
- Budget, federal, balanced, via constitutional amendment or constitutional convention call limited to balanced budget amendment, petitioned, referendum provision: SJM 105
- Emission control program, nonattainment areas, repeal urged: HJM 24
- Enterprise zone act, passage petitioned: HJM 22
- Federal land and water conservation, apportionments authorization petitioned: SJM 120
- Federal reserve act, repeal petitioned: SJM 121
- Federal reserve system, monetary policy, interest rate reduction, as suggested, petitioned: SJM 113
- Federal severance tax trust fund, establishment petitioned: SJM 126
- Fish enhancement projects, federal funding petitioned: SJM 110
- Fish, other natural resources, tribal claims, rights, settlement, acquisition, petitioned, memorial, vote of the people directed: HJM 20
- Fishing regulation, all parties, equal treatment petitioned: SJM 123
- Home mortgages, pension funds investment, congressional support petitioned: SJM 128
- Hydroelectric projects, certain, development charge policy, reversal petitioned: SJM 117
- Indian treaty rights, reconsideration petitioned: SJM 129
- Initiative 394, lawsuit against, BPA nonintervention, costs nonpayment directed, petitioned: SJM 119, Sub SJM 119
- Lumber shipments, west coast to east, gulf coasts, foreign bottoms, authorization petitioned, HR 3577 passage: SJM 130
- Mount St. Helens, eruption, commemorative stamp issuance petitioned: *HJM 15 (1982)
- Navigation projects, federal, full funding maintenance petitioned, user fees imposition opposed: *SJM 115 E1 (1982)
- Northwest interstate compact on low-level radioactive waste management, approval petitioned: SJM 124, Sub SJM 124
- Nuclear weapons, testing, production, development, freeze petitioned: SJM 122
- Postsecondary student assistance programs, federal funds, further reductions opposition petitioned: SJM 118, *Sub SJM 118 (1982)
- Price-Anderson act, nuclear plant owner liability limitation, modification petitioned: SJM 131
- Radioactive wastes, high-level, federal policies, modification petitioned: SJM 116
- Red cedar, western, shipment ban, repeal petitioned: SJM 127
- Salmon enhancement activities, congressional appropriations requested: SJM 114
- Spirit Lake memorial highway, renamed from SR-504, route description correction: SB 4398, SB 4706
- State route 504, renamed Spirit Lake memorial highway, route description correction, DOT extension construction, conditions specified: *SB 4706, CH 82 (1982)
- Trade agreements, far east nations, appropriate negotiations: *HJM 14 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

MEMORIALS—cont.

- Tribal claims, rights, fish, other natural resources, settlement, acquisition petitioned, memorial, vote of the people directed: HJM 20
- User fees, federal navigation projects, imposition opposed: *SJM 115 E1 (1982)
- Veterans' memorial parks, cemeteries, establishment, veterans affairs department, feasibility study directed, report requirement: HB 836

MENTAL HEALTH SERVICES

- Agent orange, delayed stress syndrome, information, VA department distribution, physicians, mental health centers, required: *SB 4619, CH 97 (1982)
- Border counties, additional funds, as specified, planning and community affairs agency appropriation: SB 4856
- Community mental health agencies, DSHS certification provisions: SB 4942
- Community mental health program, counties, annual plan of proposed expenditures, DSHS submission requirement removed: SB 4646
- Community mental health services act, revised: SB 4786, SB 4787, *Sub SB 4786, CH 204 (1982)
- Insurance, group health care, disability, HMO, inclusion: SB 4942
- Posttraumatic stress disorder training, community mental health professionals, DSHS appropriation: HB 470
- Psychiatric facility, acute care, bonds authorized, DSHS appropriation: SB 4752
- Volunteer counseling services, offenders, drug-related and violent crimes, development, jail commission involvement, conditions specified: SB 4953

MENTAL ILLNESS

- Community mental health services act, revised: SB 4786, SB 4787, *Sub SB 4786, CH 204 (1982)
- Criminally insane, conditional release, local confinement pending placement: *HB 381, CH 112 (1982)
- Insanity, reason for felony acquittal, considered dangerous, hospitalization, appropriate alternative treatment, court must order: HB 494
- Posttraumatic stress disorder training, community mental health professionals, DSHS appropriation: HB 470
- Psychiatric facility, acute care, bonds authorized, DSHS appropriation: SB 4752

MERGERS

- Special purpose districts, revisions: *HB 1145, CH 17 E1 (1982)

METALS (See also PRECIOUS METALS)

- Solid wastes, ownership, vested in collector from collection point, original owner's rights removed: HB 735
- Solid wastes, ownership, vested in collector from collection point, original owner's rights removed, recyclable paper, metal, glass wastes not vested: HB 735

METROPOLITAN MUNICIPAL CORPORATIONS (See also MUNICIPAL CORPORATIONS)

- Bonds, short-term obligations, issuance authorized, self-determined conditions: SB 4878
- Composition, alternatives established: HB 723
- Electric streetcar operating on rails within city, chartering authorized: *SB 4952, CH 103 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

METROPOLITAN MUNICIPAL CORPORATIONS—cont.

Parks authority: Sub HB 709, HB 723

Sales, use taxes, local, monthly revenue distribution provisions: SB 4739

Short-term obligations, issuance authorized, existing bonds, interest provision: SB 4728, *Sub SB 4728, CH 216 (1982)

Wastewater outfall, operation, south of Duwamish Head, DOE funds expenditure prohibited, sec 65 (vetoed): Sub HB 811

Wastewater treatment outfall, establishment between Alki Point/Dash Point prohibited, conditions prescribed: SB 4482

MICROFILM AND MICROFILMING

Secure transactions, financing statement copy, treated as original: *HB 822, CH 186 (1982)

MILITIA AND MILITARY AFFAIRS (See also ADJUTANT GENERAL; VETERANS)

Military department, program reduction not effecting receipt of federal funds provision, sec 36: Sub SB 4264, *Sub SB 4369, CH 50 E1 (1982)

NORAD, 25th region, McChord, members, past, present, saluted, congratulated: *HCR 47 (1982)

Nuclear weapons, testing, production, development, freeze petitioned: SJM 122

Uniform allowance, payment at option, adjutant general, authorized: *SB 3847, CH 93 (1982)

MILK AND MILK PRODUCTS (See also DAIRIES AND DAIRY PRODUCTS)

Coupons, sales, prohibition removed: SB 4742

MILWAUKEE RAILROAD RIGHT OF WAY

Acquisition, unexpended funds, use, dredge spoil sites, Cowlitz, Coweeman, Toutle rivers, purchase authority, sec 110: *Sub HB 811, CH 14 E2 (1981)

Lands, acquired by state, certain, adjacent land owners, acquisition authorized, DNR policy adoption: SB 4719

Lands, adjacent John Wayne trail, leases authorized: SB 4771

Select committee, establishment: *SCR 143 E1 (1982)

Structures, disposal, administrative costs, DNR, reimbursement, appropriation deposit, originating fund: Sub HB 804

MINERAL RIGHTS

Unused, as specified, surface property owner, reversion: SB 4922

MINIMUM WAGE

Youth development, conservation corps, members compensation, increases authorized: HB 273

Youth development, conservation corps, members compensation, increases authorized, parks, recreation commission, appropriation: SB 4313

Youth development, conservation corps, members compensation, increases authorized: *SB 4313, CH 70 (1982)

MINING

Mineral rights, unused, as specified, surface property owner, reversion: SB 4922

Uranium, thorium, milling defined: *SB 3425, CH 78 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

MINORS (See also CHILDREN; YOUTH; JUVENILES)

- Abortion, unemancipated minor, parents, guardian, notification if possible: Sub HB 226
- Apple advertising commission, persons over 18, service allowed: Sub HB 148
- Barber school instructor, licensing, persons over 18, allowed: Sub HB 148
- Beef commission, persons over 18, service allowed: Sub HB 148
- College facilities, living in, persons of legal age, requirement prohibited: Sub HB 148
- Commodity boards, commissions, persons over 18, service allowed: Sub HB 148
- Deceased persons, 18 or older, county auditor list required, voter registration cancellation purposes: Sub HB 148
- Driving instructor, persons over 18, allowed: Sub HB 148
- Employment, persons under 14, judicial permission requirement repealed: HB 1058, SB 4575
- Explosives, sales prohibited, small arms ammunition, hand loader components excluded: *HB 22, CH 111 (1982)
- Fruit commission, persons over 18, service allowed: Sub HB 148
- Hospitals, as specified, trustees boards, minimum age requirement removed: HB 1173
- Hospitals, as specified, trustees boards, persons over 18, service allowed: Sub HB 148
- Licenses, free, fishing, hunting, single document, applicable endorsements, consolidation required: Sub SB 3751
- Minimum age qualifications, all purposes except alcoholic beverage consumption, reduced to eighteen: Sub HB 148
- Nursing home administrators, persons over 18, allowed: Sub HB 148
- Pilot, vessels on state waters, persons over 18, allowed: Sub HB 148
- Prostitution, prostitute under 18, customer 18 or over, class C felony: Sub HB 293
- State institutions, for blind, deaf, sensory handicapped, persons over 18, superintendent appointment authorized: Sub HB 148
- Tree fruit research commission, persons over 18, service allowed: Sub HB 148
- Wheat commission, persons over 18, service allowed: Sub HB 148
- Work permits, L&I rules establishment directed, law administration, user fees established: HB 795

MISDEMEANORS (See also CRIMES AND CRIMINAL PROCEEDURES)

- Auctioneer's licensing act, licensing department appropriation: *Sub HB 436, CH 205 (1982)
- Bail, persons charged, assessment, certain, included in bail deposit required, refund upon acquittal: SB 3301
- Campaign materials, public officials mailing at public expense, restrictions: HB 829, SB 4789, Sub SB 4789
- Campaign materials, public officials mailing at public expense, restrictions, penalties prescribed, official voter information guides exemption (vetoed): HB 829
- Charges dismissed, refiling prohibition repealed: *HB 600, CH 47 E1 (1982)
- Checks, unlawfully issued, considered gross misdemeanor, dollar amount increased, punishment prescribed: SB 4366

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Governor's Appointments.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

MISDEMEANORS—cont.

- Checks, unlawfully issued, payment time period reduced: *SB 4366, CH 138 (1982)
- Contractors, unregistered, contracting work undertaken: SB 4631, Sub SB 4631
- Controlled substances, imitation, defined, crimes, penalties specified, exempted uses stated: *Sub HB 15, CH 171 (1982), Sub HB 820
- Crime victims, criminals, restitution required, conditions specified: SB 4600
- Deferred prosecution program, persons charged with traffic misdemeanors, gross misdemeanors, noneligibility: *HB 600, CH 47 E1 (1982), SB 4819, Sub SB 4819
- Firearms, dangerous weapons, school premises, students under 21, prohibited, violation, gross misdemeanor, exemptions: *HB 600, CH 47 E1 (1982)
- Fire, failure to report, as specified, crime defined, penalty prescribed: SB 3292
- Fire, refusal to report, crime defined, penalty prescribed: SB 3292
- Forest land, live coals, fire, deposit, closed season, prohibited, violation, misdemeanor: HB 223
- Funeral directors, prohibited activities, penalties: *Sub HB 871, CH 66 (1982)
- Gasoline price posting act: SB 4829
- Hunting, interference with, prohibited, penalties prescribed, permitted civil actions: SB 4727
- Look-a-like drugs, imitation drugs defined, crimes, penalties, specified, exempted uses stated: Sub HB 820, *Sub HB 15, CH 171 (1982)
- Organized crime intelligence unit, investigative information divulging, governor, organized crime advisory board members, state patrol employees: Sub SB 3120
- Real estate, time-sharing regulated, penalties prescribed: SB 3775
- Real estate, time-sharing regulated, penalties prescribed, licensing department appropriation: Sub SB 3775, 2nd Sub SB 3775
- Speeding violations, 55-70 mph, freeways, insurance abstract exclusion, abstract use violation, misdemeanor: SB 3518, Sub SB 3518
- Toxic plants, retail sales, warning labels required, agriculture director rules adoption, violations, misdemeanor: SB 4601
- Unemployment compensation, gross misdemeanor conviction, disqualification, recovery: *Sub SB 4216, CH 18 E1 (1982)

MITCHELL, DALE

- Member, state investment board, SPI appointment, GA 483, confirmed . . (1981), 609,864

MOBILE HOMES AND MOBILE HOME LANDLORD-TENANT ACT (See also MOTOR HOMES)

- Abandoned, landlord procedures prescribed: SB 4941
- Judgements, enforcement, homestead, redefined, mobile home inclusion, exemption, abandonment provisions, execution sales, proceeds use requirements, affidavit filing: Sub SB 3459
- Manufactured homes, factory-built structures, commercial coaches, contractors registration provisions inclusion: Sub SB 4631
- Manufactured homes, regulations revised, factory-built structures advisory board, manufactured home, commercial coach, recreational vehicle advisory board, created: SB 4902

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

MOBILE HOMES AND MOBILE HOME LANDLORD-TENANT ACT—cont.

- Manufactured housing advisory task force, planning and community affairs agency, establishment directed, members, report, assistance, appropriation: Sub SB 3308
- Manufactured housing sites, adequate, cities, towns, policy declared: Sub SB 3308
- Sales, encumbrance, participation, both spouses, required: SB 3100
- Sales, encumbrance, participation, both spouses, required, title certificate signature requirement: SB 3100
- Sites, condominium law applicability: SB 4939, SB 4941
- Tenancy termination, procedures prescribed: SB 4941
- Tenancy termination, without cause, prohibited, notice of violation, compliance period changed: SB 4642
- Violations, wilful, prevailing party award authorized, violation considered an unfair and deceptive practice: SB 4642

MODEL TRAFFIC ORDINANCE

Updated: HB 86, *HB 1067, CH 25 (1982)

MONEY

Federal reserve, power to create, delegation, challenge, U.S. supreme court, action, state, intent declared: *SCR 127 (1982)

MONEY MARKET (See also FINANCIAL INSTITUTIONS)

Financial institutions, as defined, depositors, accounts classification, permitted, deposit competition purpose: SB 3925

MOORAGE

Port districts, facilities, rentals, use, regulations adoption authorized, enforcement procedures establishment permitted: SB 4014, Sub SB 4014

State parks, selected, boat moorage fee program, establishment, parks and recreation commission appropriation: HB 865, SB 4485, *Sub SB 4369, CH 50 E1 (1982)

MORAL NUISANCES

Defined, enforcement authority: *Sub HB 626, CH 184 (1982)

X-rated materials, sales tax, 20% of retail sales price, imposed: SB 4598

MORATORIUMS

Nuclear plants, 4, 5, construction, WPPSS, imposed: SCR 108

MORGAN, FRANCES HADDON

Children's center, Bremerton, Kitsap county, residential school establishment: *SB 4199, CH 89 (1982)

MORTGAGES

Deed conveyance tax, exempted transactions stated: SB 4038

Hospital districts, existing property, health care facilities funding, prohibited: *HB 955, CH 84 (1982)

Pension funds, home mortgages, congressional support petitioned: SJM 128

Satisfaction, damages, reasonable attorneys' fees allowed: SB 4517

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

MOSQUITO CONTROL DISTRICTS

Tax, minimum, modified: *SB 4599, CH 217 (1982)

MOTELS

Convention and trade facilities, state, local authorized, financing provisions: *Sub HB 1015, CH 34 (1982)

Parks, municipal facilities, other capital improvements, hotel, motel, special tax receipts, use authorized: SB 3318

MOTION PICTURES

Pornography, moral nuisances, defined, enforcement authority: *Sub HB 626, CH 184 (1982)

X-rated materials, sales tax, 20% of retail sales price, imposed: SB 4598

MOTOR FREIGHT (See also COMMON CARRIERS; HAZARDOUS SUBSTANCES AND PRODUCTS; MOTOR FREIGHT; UTILITIES AND TRANSPORTATION COMMISSION)

Carriers, for hire, multiple taxation, gross receipts allocation principles stated, joint audits permitted: *HB 752, CH 169 (1982)

Commercial zones, certain cities, establishment formula prescribed, establishment, expansion authorized, conditions specified: SB 4504

Commercial zones, terminal areas, established: *SB 4484, CH 71 (1982)

Multistate motor fuel tax agreement, DOT participation authorized, conditions specified: SB 4562, *Sub SB 4562, CH 161 (1982)

Trucking industry, partial deregulation, legislative transportation committee, study directed: Sub SCR 107

MOTOR VEHICLES (See also ABANDONED VEHICLES; DRUNK DRIVERS; EMISSION CONTROLS; MOTORCYCLES AND MOTORBIKES; LICENSES AND LICENSING, DEPARTMENT OF; PARKING - MOTOR VEHICLES)

Accidents, official business, fire fighters, WSP, law enforcement officers, employment driving record, report requirement: *SB 3233, CH 52 (1982)

Blue lights, game, fisheries departments, parks and recreation commission, use authorized: HB 825, Sub SB 3258

Child safety restraints: Sub HB 288, Sub SB 3252, SB 4548

Drivers, unlicensed, vehicle impoundment, rules adoption: SB 3549, *Sub SB 3549 CH 8 (1982)

Driving record abstracts, fees increased: HB 1023

Garbage trucks, additional tonnage permit specifications: SB 4907

Gasoline price posting act: SB 4829

Gasoline prices, gas tax, omission from selling price, permitted: *HB 854, CH 6 E1 (1982)

Horseless carriage plates, pre-1941 vehicles, issuance permitted: SB 4547

Horseless carriage plates, vehicles not less than 40 years old, issuance permitted: *SB 4547, CH 143 (1982)

Insurance, comprehensive, collision coverage, liability coverage inclusion required: SB 3244

Insurance, coverage not exceeding secured party's interest, as specified, not deemed automobile insurance policy: Sub HB 892

Insurance, mandatory liability coverage required: Sub HB 892, SB 3244

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

MOTOR VEHICLES—cont.

- Insurance, underinsured coverage, hit and run, phantom vehicles, as defined, deductible amount: SB 3244
- Insurance, underinsured coverage, phantom vehicles, inclusion, claims clarified, injured party requirements, rights: Sub HB 892
- Licenses, renewal, prohibited until parking violations satisfied, conditions prescribed: *Sub HB 268, CH 14 E1 (1982)
- Lists, owners, licensing department, availability: *SB 4544, CH 215 (1982)
- Nonresident violator compact, motorist violations: SB 4750, *Sub SB 4750, CH 212 (1982)
- Pistols, concealed, license requirements, abode, business, vehicle provisions: SB 4470, *HB 600, CH 47 E1 (1982)
- Propane, natural gas, use, license fee in lieu of special fuel tax, continued: HB 1002
- Proportional registration, procedures established, when state becomes member of international registration plan: Sub SB 3993
- Prowling, crime defined: *HB 600, CH 47 E1 (1982)
- Repairs, regulations revised, customers' rights, licensing, revenue departments appropriations: *HB 375, CH 62 (1982)
- Ride-sharing: SCR 135, SB 4545, *Sub SB 4545, CH 142 (1982)
- Speeding violations, 55-70 mph, freeways, insurance abstract exclusion, abstract use violation, misdemeanor: SB 3518, Sub SB 3518
- Speed limit, maximum, national, if repealed, state authority, energy conservation purposes, termination provision: HB 576
- State patrol, individually-assigned, rules forbidding, adoption prohibited: SB 4865
- Transit services, elderly, handicapped persons, nonprofit corporations, MVFT exempt, refund provision: SB 4760
- Trucks, as defined, motor vehicle excise tax, monthly proration, conditions, violations, penalties specified: SB 4768
- Trucks, owner-operators, not considered workers, workers compensation coverage purposes: *SB 4558, CH 80 (1982)
- Used, sold by dealers, emission control testing exemption: HB 915
- Veterans, disabled, prisoners of war, license plates, free, authorized: *HB 623, CH 115 (1982), Sub SB 3035, SB 4720

MOTORCYCLES AND MOTORBIKES

- Equipment, requirements, exemptions, helmet sales, goggles, glasses, shields wearing, license endorsements: Sub SB 3381, SB 4692, *Sub SB 4692, CH 77 (1982)
- Motorcycle education courses, school districts, community colleges, vocational-technical institutes, colleges, universities, commercial schools, course offerings: Sub SB 3381
- Motorcycle education programs, schools, fee imposition, SPI appropriation, school reimbursement: Sub SB 3381
- Motorcycle safety education account, advisory committee, created, operator training program, licensing department appropriation: SB 4692, *Sub SB 4692, CH 77 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

MOTORCYCLES AND MOTORBIKES—cont.

Offenses, penalty assessment, deposit, traffic safety account, motorcycle education allocation: Sub SB 3381

Safety education course, mandated, provisions: Sub SB 3381

MOUNT ST HELENS (See also VOLCANIC ERUPTIONS)

Accreted land, Toutle, Cowlitz rivers, deposits, DNR impact study, report requirements: Sub SB 3824

Accreted land, Toutle, Cowlitz rivers, volcanic area, adjacent landowners, leases authorized, conditions prescribed, ownership claims prohibited: Sub SB 3824

Commemorative stamp issuance petitioned: *HJM 15 (1982)

Disaster relief, select committee establishment: *SCR 126 E2 (1981)

Dredge spoil sites acquisition, DOT appropriation: SB 4510, *Sub SB 4510, CH 7 (1982)

Forest products recovery act, extension, default, interest provisions, St Helens damaged timber excluded: *Sub SB 4663, CH 222 (1982)

Milwaukee railroad, right-of-way, acquisition, unexpended funds, use, dredge spoil sites, Cowlitz, Coweeman, Toutle rivers, purchase authority, sec 110: *Sub HB 811, CH 14 E2 (1981)

Recovery operations, established, select committee appointment required, oversight, report requirements: SB 4510, *Sub SB 4510, CH 7 (1982)

Recovery operations, SMA, SEPA, ecology, fisheries, game requirements exemption: SB 4510, Sub SB 4510

Recovery operations, SMA, SEPA, ecology, fisheries, requirements exemption: *Sub SB 4510, CH 7 (1982)

State route 504, renamed Spirit Lake memorial highway, route description correction: SB 4398, SB 4706

State route 504, renamed Spirit Lake memorial highway, route description correction, DOT extension construction, conditions specified: *SB 4706, CH 82 (1982)

Timber contracts, existing, extension, damaged timber excluded: Sub SB 4663, SB 4945

Volcanic silt, dredge spoils deposit, land acquisition, as specified, moneys distribution, county application, DNR, authority, renewal: SB 4381

MOUNTAIN GOATS AND MOUNTAIN SHEEP

Licenses fees, increased, payment requirements: SB 4726

Tag fees, increased, nontransferable, refund provision: SB 3884

MULES

Sales, no implied warranties provision: *SB 4436, CH 199 (1982)

MUNICIPAL CORPORATIONS (See also METROPOLITAN MUNICIPAL CORPORATIONS)

Audits, allowable expenses, scope extended, municipal corporations division duties, state auditor rules adoption: SB 4781, *Sub HB 855, CH 206 (1982)

Audits, expenses defined, municipal revolving fund expenditure requirements, municipal corporations division duties: SB 4573

Contracts, competitive bid requirements violations, penalties modified: SB 4758

Contracts, municipalities, municipal officers, permissible limits increased: SB 4570

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

MUNICIPAL CORPORATIONS—cont.

- Credit lines, establishment authorized, public depositories, conditions prescribed: SB 4329
- Cultural arts, stadium, and convention districts, establishment permitted, powers, duties, taxing authority: *Sub HB 1156, CH 22 E1 (1982)
- Development charges, prohibited: Sub HB 312, *SB 4972, CH 49 E1 (1982)
- Elections, legal notices, requirements revised: SB 4589
- Heating systems, establishment authorized, conditions specified: Sub SB 3033, 2nd Sub SB 3033
- Joint operating agencies, obligations, rate impacts, hearings, notice, requirements: SB 3502, Sub SB 3502
- Land dedication, easements, permissible purposes, voluntary agreements: *Sub HB 312, CH 49 E1 (1982)
- Pistol regulations, local control preempted, regulations prescribed, vote of the people required: SB 4923
- Public service companies, fees, licenses, certain, prohibitions specified, temporary continuation provision: *SB 4972, CH 49 E1 (1982)
- Public works, domestic wood products, purchase required, OFM rules adoption, exemptions: SB 4823
- School community recreation districts: SB 4912
- Short-term obligations, issuance authorized, existing bonds, interest provision: SB 4728, *Sub SB 4728, CH 216 (1982)
- Tax powers prescribed: *SB 4972, CH 49 E1 (1982)

MUSIC

- Nonprofit arts organizations, as defined, class L liquor license, established, fee imposed: HB 342

MUTUAL SAVINGS BANKS (See also FINANCIAL INSTITUTIONS)

- Alcohol beverage business, financial interest, as specified, allowed: SB 4729
- Depositors, accounts classification, permitted, money market deposit competition purpose: SB 3925
- Examinations, banking supervisor, fee schedule establishment conditions: HB 935, SB 4828
- Funds, public, state treasurer, investment authority extended: *SB 4507, CH 148 (1982)
- Interest, dividends, payments from guaranty funds, as specified: *Sub SB 3679 CH 5 (1982)
- Savings and loan associations, domestic, conversion, federal mutual savings banks, authorized: SB 4567

NACHES PASS

- Tunnel, Cascades cut-off, completion, transportation commission, directed: SB 4764

NADDY, MARLEE L.

- Member, state commission for the blind, GA 404, confirmed . . . (1981), 447,861

NATURAL DEATH ACT

- Life-sustaining procedures, legal responsibilities provision revisions: HB 319

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) . . . Passed during 1981 Second Special Session.
- E1 (1982) . . . Passed during 1982 First Special Session.
- E2 (1982) . . . Passed during 1982 Second Special Session.

NATURAL DISASTERS

Milwaukee railroad, right-of-way, acquisition, unexpended funds, use, dredge spoil sites, Cowlitz, Coweeman, Toutle rivers, purchase authority, sec 110:
*Sub HB 811, CH 14 E2 (1981)

NATURAL GAS

Motor vehicle use, license fee continued: HB 1002
Oil and gas conservation committee, powers, duties revised, oil and gas definitions, regulations revised: SB 4944
Oil and gas conservation committee, powers, duties revised, oil and gas definitions, regulations revised, severance tax imposed, revolving account created: Sub SB 4944
Oil and gas joint committee formation, search, development, current laws study, report: *HCR 50 E1 (1982)
Oil and gas severance and conservation tax act: SB 4458
Public utility tax, state-wide natural gas companies, increased: SB 4585
Severance tax trust fund, federal, establishment petitioned: SJM 126

NATURAL HERITAGE PROGRAM

Natural resources department, appropriation, expenditures recovery requirement:
*SB 4681, CH 154 (1982)

NATURAL RESOURCES, DEPARTMENT OF (See also HARBOR AREAS)

Aquatic lands code, separate chapters, established: SB 4824, *Sub SB 4824, CH 21 E1 (1982)
Aquatic lands joint legislative committee, members, duties, report, termination: *Sub SB 4824, CH 21 E1 (1982)
Capital projects, appropriation: *Sub HB 1230, CH 48 E1 (1982)
Cedar, western red, foreign shipment ban, repeal petitioned: SJM 127
Docks, upland owners, recreational use, state lands, additional rent or fees prohibited: *Sub SB 4824, CH 21 E1 (1982)
Ecology department, abolished, functions, property transferred: SB 4379
Engineering services division, responsibilities: *Sub HB 1012, CH 165 (1982)
Forest fire protection, assessments, minimums, maximums established, administrative costs, suppression account provisions: *HB 1099, CH 55 E1 (1982)
Forest land, definition revised, timber, forest lands taxation purposes: SB 4608
Forest land, fire protection, reports, lack of spark arresters, prevention devices, requirement deleted: HB 223
Forest land, live coals, fire, deposit, closed season, prohibited, exceptions, burning permits, violation, misdemeanor: HB 223
Forest land, live coals, fire, deposit, closed season, prohibited, violation, misdemeanor: HB 223
Forest land, reforestation obligation, notice to buyer required: *Sub HB 419, CH 173 (1982)
Forest practices, class I, II, III, not subject SEPA EIS requirements: Sub SB 3725
Forest practices, class I, II, III, not subject SEPA EIS requirements, termination date established: Sub SB 3725
Forest practices, class IV, DNR evaluation, EIS purposes: Sub SB 3725

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

NATURAL RESOURCES, DEPARTMENT OF—cont.

- Forest practices, class IV, DNR evaluation, EIS purposes, termination date established: Sub SB 3725
- Forest practices, licenses, certain, local government, EIS responsibility: Sub SB 3725
- Forest practices, licenses, certain, local government, EIS responsibility, termination date established: Sub SB 3725
- Forest products industry employment recovery act, enacted, state timber purchases contracts provisions: SB 4711
- Forest products recovery act, extension, default, interest provisions, St Helens damaged timber excluded: *Sub SB 4663, CH 222 (1982)
- Geoducks, intensive management plan, implementation, cooperation with fisheries department, DNR appropriation: *HB 1162, CH 180 (1982)
- Geographic names board: HB 527, SB 3648, Sub SB 3648, SB 4988
- Geothermal account, created, expenditures, distribution, state treasurer, statutory requirements: Sub SB 3779
- Geothermal assessment account, created, geothermal exploration, assessment, use directed: SB 3779
- Harbor improvement fund, created, rental deposits, as specified, balance deposit, capitol purchase, development account: Sub SB 3578
- Honor camps, operation, maximum expenditure specified, sec 67: *Sub SB 4369, CH 50 E1 (1982)
- John Wayne trail, adjacent lands, leases authorized: SB 4771
- John Wayne trail, select committee, establishment, members, duties, agency cooperation: SCR 143
- Land, public, materials, sales, minimum value requirement, payment method changed: *HB 131, CH 27 (1982)
- Land, public, owned or controlled by state agencies, OFM inventory maintenance, procedures, establishment required: SB 3647
- Land, public, sales, minimum value requirement, payment method, changed: HB 131
- Land, state, negotiated leases, commercial, industrial, residential purposes, permitted, notice requirement: Sub SB 4668
- Land, state, sales, natural resources board, designated agency: Sub SB 4164
- Leases, tidelands, shorelands, navigable river beds, waterways, harbor areas, maximum annual increase set, geoduck, oysters, clams exemption: *Sub SB 4824, CH 21 E1 (1982)
- Local government master program adjustments, review provisions, as specified, APA exemption, as specified: Sub HB 1098
- Milwaukee railroad, right-of-way, acquisition, unexpended funds, use, dredge spoil sites, Cowlitz, Coweeman, Toutle rivers, purchase authority, sec 110: *Sub HB 811, CH 14 E2 (1981)
- Milwaukee railroad, right-of-way, adjacent lands, leases authorized: SB 4771
- Milwaukee railroad, right-of-way, lands, certain, acquired by state, adjacent land owners, acquisition authorized, policy adoption: SB 4719
- Milwaukee railroad, right-of-way, structures, disposal, administrative costs reimbursement, appropriation deposit, originating fund: Sub HB 804
- Milwaukee road select committee, establishment, members, duties, agency cooperation: *SCR 143 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

NATURAL RESOURCES, DEPARTMENT OF—cont.

- Natural heritage program, appropriation, expenditures recovery requirement: *SB 4681, CH 154 (1982)
- Natural resources, account, created: SB 4112
- Natural resources deposit fund, created, public lands commissioner, custodian: *Sub HB 773, CH 4 E2 (1981)
- Oil and gas conservation committee, powers, duties revised, oil and gas definitions, regulations revised: SB 4944
- Oil and gas conservaton committee, powers, duties revised, oil and gas definitions, regulations revised, severance tax imposed, revolving account created: Sub SB 4944
- Oil and gas joint committee formation, search, development, current laws study, report: *HCR 50 E1 (1982)
- Power driven machinery, use permit, down or dead timber, requirement repealed: HB 223
- Public land, leases, tree fruit, grape production extensions, agriculture, grazing revisions allowed: *Sub SB 4163, CH 54 (1982)
- Public lands clam management account, established, shellfish harvesting fees, certain, purposes prescribed, DNR, fisheries department duties, appropriation: Sub SB 3442
- Real estate, acquisition, exempt from GA director authority: *Sub HB 810, CH 41 (1982)
- Recreation guide, IACOR expenditure authorized, appropriation, proceeds reimbursement requirement: SB 3915
- Reforestation lands, declassified, conditions specified, owners' removal provisions, county assessor requirements: SB 4487
- Resource management cost account: SB 3466
- Scenically fragile lands, public lands commissioner acquisition directed, conditions prescribed, survey, criteria, bonds authorized, referendum provision: SB 3719, Sub SB 3719, 2nd Sub SB 3719
- Shoreline hearings board, contested case hearings, notice requirement: Sub HB 914
- Smith's cove waterway, vacation, title vested in port of Seattle, subject permission abutting owners: SB 4025
- Smith's dove waterway, offer to sell, Port of Seattle, fair market value, appraisal costs reimbursement: *SB 4025, CH 1 E1 (1982)
- St Helens eruption, recovery operations, responsibilities: SB 4510, *Sub SB 4510, CH 7 (1982)
- Surveys, maps fees, authorized, account created: *Sub HB 1012, CH 165 (1982)
- Surveys, public land, official plats, certified copies, county auditor recording, appropriation: HB 641
- Suspense funds, distribution, timber sales, future sales, deposits: *Sub HB 773, CH 4 E2 (1981)
- Timber contract price indexing advisory committee, created, members, duties, report: *Sub SB 4663, CH 222 (1982)
- Timber contracts, existing, as specified, extension provisions, interest rate set, St Helens damaged timber excluded: Sub SB 4663, SB 4945
- Timber contracts, existing sales, as specified, extension permitted: SB 4788

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

NATURAL RESOURCES, DEPARTMENT OF—cont.

- Timber contracts, forest products industry employment recovery act, enacted: SB 4711
- Timber harvesters, inclusion, existing contracts exclusion: SB 4399
- Timber, public lands, timber excise tax inclusion, existing contracts exclusion: SB 4399
- Timber sales, certain, moneys received, forest development account deposit requirement: *Sub HB 773, CH 4 E2 (1981)
- Timber sales, procedures, modifications directed: *HCR 42 (1982)
- Toutle, Cowlitz rivers, accreted land, deposits, impact study, report requirements: Sub SB 3824
- Transition trust lands revolving fund act, appropriation: Sub SB 4664
- Trees, unauthorized destruction, penalty repealed: *Sub HB 135, CH 28 (1982)
- Tribal claims, rights, fish, other natural resources, settlement, acquisition petitioned, memorial, vote of the people directed: HJM 20
- Trust lands, school districts, higher education institutions, purchase rights: *Sub SB 4864, CH 31 E1 (1982)
- Urban lands, state-owned, program, sell, lease, or develop, commissioner, requested, budget shortfall purposes: SCR 111
- Volcanic silt, dredge spoils deposit, land acquisition, as specified, moneys distribution, county application authority, renewal: SB 4381
- Waterways, management, port districts exemption, temporary occupation conditions: Sub SB 3578
- Waterways, platting duties, powers, transferred from commissioner of public lands: Sub SB 3578
- Youth development, conservation corps, members compensation, increases authorized: HB 273, *SB 4313, CH 70 (1982)

NAVIGATION AND NAVIGABLE WATERS (See also PILOTAGE COMMISSIONERS, BOARD OF)

- Aquatic lands code, separate chapters, established: SB 4824, *Sub SB 4824, CH 21 E1 (1982)
- Aquatic lands joint legislative committee, members, duties, report, termination: *Sub SB 4824, CH 21 E1 (1982)
- Docks, upland owners, recreational use, state lands, additional rent or fees prohibited: *Sub SB 4824, CH 21 E1 (1982)
- Leases, beds, maximum annual increase rate set, geoduck, oyster, clams exemption: *Sub SB 4824, CH 21 E1 (1982)

NEGLIGENCE

- Child safety restraints, standards adoption, parent use requirements, violations, fines, noncompliance provisions: Sub HB 288, Sub SB 3252, SB 4548

NETHERLAND, WARREN

Member, sentencing guidelines commission, GA 522, confirmed 17,405,889

NEWHOUSE, SENATOR IRVING

Appointed, chairman, committee on agriculture	23
Appointed, member, joint select committee on telephone systems	539
Commending staff	1651
Oath administered	384-385

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

NEWHOUSE, SENATOR IRVING—cont.

Remarks, regarding SB 3242,4153,4201, short-cut procedure, not concur . . 1547

NEWMAN, DELLA M.

Member, state personnel board, GA 574, confirmed 435,477,887

NEWS MEDIA

Political advertising, violations, admitted, promises no further violation, revision, prosecutor, failure to act, injunction proceedings: HB 472

NEWSPAPERS

Assessments, increased, notice publication, state register, newspapers: HB 947, SB 4439, Sub SB 4439

Coupons, manufacturers, certain, trading stamp license exemptions: SB 4742

Political advertising, violations, admitted, promises no further violation, revision, prosecutor, failure to act, injunction proceedings: HB 472

NIHOUL, TIMOTHY R.

Member, board of trustees, Big Bend community college district 18, GA 542, confirmed 22,477,879

NONPROFIT ORGANIZATIONS AND ASSOCIATIONS (See also CHARITABLE ORGANIZATIONS)

AFDC, community work experience projects, employment security establishment provisions: SB 4699

Business and industrial development corporations act: Sub HB 977

Cancer research, cigarette tax, increased, funds use, DSHS allocation authority: HB 885, SB 4427

Center for voluntary action: SB 4621, Sub SB 4621, *Sub HB 923, CH 11 E1 (1982)

Conservation and small scale renewable energy development, advisory committee appointment, fund established, bonds authorized, constitutional contingency: SB 3287, Sub SB 3287

Convention and trade center, nonprofit corporation management, bond issuance, lodging excise tax, appropriation: *Sub HB 1015, CH 34 (1982)

Cooperative economic development act: SB 4990

Crime victim compensation fund, funds allocation, nonprofit agencies, funds availability, local supplemental funding, intent: SB 3301

Crime victims assistance fund, created, L&I department administration, duties prescribed, funds allocation, nonprofit agencies, funds availability, local supplemental funding, intent: SB 3301

Export assistance centers, establishment provisions, nonprofit corporation formation, commerce and economic department rules adoption, appropriation: Sub HB 1141

Ferries, historic, disposition regulated: *SB 4956, CH 210 (1982)

Gambling activities, chapters, local units, assistance allowed, as specified: Sub HB 1102, SB 4783

Gambling activities, membership qualification, voting requirement: Sub HB 1102

Liquor license, class L, nonprofit arts organizations, as defined, established, fee imposed: HB 342

Liquor licenses, class K, provisions modified: SB 4703

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

NONPROFIT ORGANIZATIONS AND ASSOCIATIONS—cont.

- Political action committees, bona fide charitable, nonprofit organization, gambling purposes, allowed: Sub SB 4759
- Salmon hatcheries, private nonprofit, authorized, conditions specified: SB 4754
- Small business investment act: SB 4874
- State parks, volunteer work: *SB 4477, CH 156 (1982)
- Vehicles, ride-sharing, elderly, handicapped person, use by public agencies, nonprofit agencies, as specified, MVET exemption: SB 4545
- Vehicles, transit services, elderly, handicapped persons, nonprofit corporations, MVFT exempt, refund provision: SB 4760
- Wine licenses, J, unopened wine bottle sales permitted, limitations, nonprofit organizations restriction removed: *Sub HB 1063, CH 85 (1982)

NONRESIDENTS

- Higher education institutions, miscellaneous changes prescribed, council for post-secondary education student financial aid supplementation appropriation: *2nd Sub HB 784, CH 37 E1 (1982)
- Motor vehicles, nonresident violator compact, motorist violations: SB 4750, *Sub SB 4750, CH 212 (1982)
- Sales tax, exemption eliminated: SB 4446
- Sales tax, exemption permit, collection fees, increased, nonresident permits tax gain study directed: *Sub HB 840, CH 5 E1 (1982)

NORAD - 25TH NORTH AMERICAN AIR DEFENSE REGION AND AIR DIVISION

- Members, past, present, congratulated, saluted: *HCR 47 (1982) 1371

NORTHWEST INTERSTATE COMPACT ON LOW-LEVEL RADIOACTIVE WASTE MANGEMENT

- Congress, approval petitioned: SJM 124, Sub SJM 124

NOTARIES PUBLIC

- Fees, increased: SB 4552

NOTICES

- Abortion, unemancipated minor, parents, guardian, notification if possible: Sub HB 226
- Airports, near subdivisions, DOT secretary notification required: *HB 330, CH 23 (1982)
- Bonds, general obligation, call for bids, publication requirement revised: Sub SB 4271
- Crime victims compensation, law enforcement agencies, victim notification requirement: 2nd Sub HB 828
- Elections, requirements revised: SB 4589
- Forest land, reforestation obligation, notice to buyer required: *Sub HB 419, CH 173 (1982)
- Industrial insurance, self-insurers, claim denial requirement: *SB 4133, CH 20 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

NOTICES—cont.

- Irrigation districts, withdrawal, certain owners, conditions prescribed, contractual payment obligation, duplicate notice filing, county auditor, contractual payment obligation: Sub SB 4136
- Leases, negotiated, state lands, commercial, industrial, residential purposes, permitted, notice requirement: Sub SB 4668
- Liquor licenses, applications, within 500 feet, written notice requirement: *Sub HB 1063, CH 85 (1982)
- Local improvement assessment deeds, issuance, property owner, occupant notice requirement: SB 4394
- Local improvement districts, delinquent assessment foreclosure, summons requirement, alternative method repealed: *Sub HB 823, CH 91 (1982)
- Planning agencies, hearing requirements revised: Sub HB 1007, SB 4776, Sub SB 4776
- Prisoners, transferred outside state, personal security purposes, notice of transfer requirement exemption: SB 3424
- School districts, surplus property, disposition requirements prescribed, private school rights provision: SB 3753, Sub SB 3753, SB 3753, Sub SB 3753
- Sewer, water districts, "island" within, annexation, procedures prescribed, referendum provision: *SB 4064, CH 146 (1982)
- Shorelines permits, shoreline hearings board review, on the record requirement, de novo hearings, contested case hearings, notices: Sub HB 914
- Traffic infractions, parking, response failure, local penalties allowed: *SB 4492, CH 12 E1 (1982)
- Traffic infractions, response time increased: SB 4817
- Unclaimed property, uniform act, enacted: Sub HB 1128, SB 4391

NUCLEAR ENERGY (See also JOINT OPERATING AGENCIES; WASHINGTON PUBLIC POWER SUPPLY SYSTEM)

- Initiative 394, lawsuit against, BPA nonintervention, costs nonpayment directed, petitioned: SJM 119, Sub SJM 119
- Northwest interstate compact on low-level radioactive waste management, congressional approval petitioned: SJM 124, Sub SJM 124
- Nuclear plants, 4, 5, construction moratorium, WPPSS, imposed: SCR 108
- Nuclear waste compact, approval petitioned: SJM 124, Sub SJM 124
- Price-Anderson act, nuclear plant owner liability limitation, modification petitioned: SJM 131
- Radioactive waste, joint select committee, established, members, duties, report: SCR 140

NUCLEAR WEAPONS

- Federal government, testing, development, production, freeze petitioned: SJM 122

NURSES AND NURSING

- Health care services, contracts, HMO agreements, inclusion: SB 4848
- Nursing assistance, 1980 licensing provisions repealed: Sub HB 760
- Practical nurse examiners board, redesignated, board of practical nursing, membership qualifications, license criteria establishment, revocation hearings, executive secretary, immunity: Sub HB 274

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

NURSES AND NURSING—cont.

- Practical nurse practice, redefined, regulations revised: Sub HB 274
- Registered nursing care, nursing homes, 2 daily shifts: Sub HB 760

NURSING HOMES

- Administrators, regulations revised: Sub HB 148
- Appraisers, accounting purposes, accreditation requirements specified: *HB 728, CH 117 (1982)
- Beer, wine by glass, patients, family members, visitors, offering allowed: *Sub HB 1063, CH 85 (1982)
- Care plan, departmental review requirement, repealed: *Sub HB 852, CH 120 (1982)
- Care purchase, institutions for mentally retarded, permitted, rules provision: *Sub HB 760, CH 11 E2 (1981)
- Cost center reimbursement rates, adjustment provision: *Sub HB 760, CH 11 E2 (1981)
- Cost reimbursement, DSHS requirements: *Sub SB 4285, CH 19 E1 (1982)
- Federal funds, allocation, state laws in conflict declared inoperative: *Sub HB 760, CH 11 E2 (1981)
- Inspection requirements revised: *Sub HB 760, CH 11 E2 (1981)
- Inspection, residents' rights, direct care standards, continuation, other inspections authorized: *Sub HB 852, CH 120 (1982)
- Labor relations, regulations, certain, repealed: HB 1058, SB 4580
- Licenses, fees, DSHS establishment authorized: *Sub HB 760, CH 11 E2 (1981)
- Licensing, permissible period extended: *Sub HB 760, CH 11 E2 (1981)
- Medication orders: *Sub HB 852, CH 120 (1982)
- Noncompliance, notice, correction requirements: *Sub HB 760, CH 11 E2 (1981)
- Nursing assistance, nursing home care, occupation standards, 1980, licensing provisions repealed: Sub HB 760
- Overpayments, recovery settlement provisions, redistribution pool establishment required: *Sub HB 760, CH 11 E2 (1981)
- Patient assessment system, implementation required: *Sub HB 760, CH 11 E2 (1981)
- Patient care, review, classification requirements: *Sub HB 760, CH 11 E2 (1981)
- Patients, publicly supported, voluntary contributions, care costs offset, DSHS program development intent: Sub HB 1158
- Patients, rights, nursing home standards of care, private pay patients inclusion: *Sub HB 852, CH 120 (1982)
- Registered nursing care, skilled facilities, two daily shifts provision: Sub HB 760
- Reimbursement enhancement decrease, facility consultants, cost reimbursement: *Sub HB 760, CH 11 E2 (1981)
- Residents, services availability, prescribed: Sub HB 760
- Rights, residents, next friend, rules specifying required: Sub HB 760
- Rules, regulations, standards, declared minimum, licensed facilities, reimbursement purposes: Sub HB 760
- Space, occupancy requirements, prescribed, waiver provision: Sub HB 760
- Voluntary contributions, costs, publicly supported patients, DSHS program development intent: Sub HB 1158

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

OBSCENE MATERIALS

Pornography defined, enforcement authority: *Sub HB 626, CH 184 (1982)
X-rated materials, sales tax, 20% of retail sales price, imposed: SB 4598

OCCUPATIONAL INFORMATION SERVICE

Employment security department, designated agency: SB 4628, *Sub HB 920, CH 43 (1982)

OCEAN RANCHING (See also FOOD FISH AND SHELLFISH)

Salmon eggs, excess, disposition, fisheries department, director approval authority: SB 4612, SB 4761

Salmon eggs, excess, disposition, fisheries department, priority list establishment: Sub SB 3385

Salmon hatcheries, private nonprofit, authorized, conditions specified: SB 4754

Salmon release-recapture facilities, authorized, fisheries department provisions, advisory council created: SB 4612

Salmon release-recapture facilities, authorized, fisheries department provisions: Sub SB 3385

Salmon release-recapture facilities, authorized, fisheries department provisions: SB 4761

OCEANOGRAPHY AND OCEANOGRAPHIC COMMISSION

Appropriation: SB 4390

OFFICE OF COMMUNITY PROGRAMS

Archaeology and historic preservation office, interagency committee for outdoor recreation, traffic safety commission, transferred to: SB 4586, Sub SB 4586

Planning and community affairs agency, reorganized, functions, duties, antipov-erty programs, sunset termination: SB 4586, Sub SB 4586

OFF-ROAD VEHICLES

ORV moneys, use, trails, areas, construction, facilities, authorized, youth develop-ment corps, youth crews, contract consideration required: SB 3823

OLYMPIA

Centennial commission, plan development, state capitol area location, commerce and economic development department appropriation: HB 183

OLYMPIC COMMUNITY COLLEGE DISTRICT NO. 3, BOARD OF TRUSTEES

Loposer, Avery K, member: GA 585 1121

Plaisance, Richard T, member: GA 561, confirmed 390,545,884

OLYMPIC COUNTY

Established, formed from parts of Clallam and Jefferson counties: SB 4854, Sub SB 4854

OPEN MEETINGS

Governing body, redefined, committee, certain authority, inclusion: Sub HB 213
Joint operating agencies, inclusion: SB 4560

Joint operating agencies, policy groups, public utilities membership representa-tion, inclusion: Sub SB 4560

Joint operating agencies, policy groups: *SB 4996, CH 43 E1 (1982)

Meeting sites, alternative, times of emergency, selection authorized: Sub HB 213

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

OPEN MEETINGS—cont.

- State auditor, governing bodies, discussions prior to final report issuance, exemption: SB 3073
- State auditor, governing bodies, meetings to receive preliminary reports, exemption: SB 3073

OPEN SPACE (See also TAXES – PROPERTY)

- Agricultural land, certain, inclusion: Sub SB 3522
- Assessments, current use required, potential use not to be considered: SB 4816
- Forest land, lesser acreage, current use valuation authorized, contiguous right of way provision: Sub HB 1
- Land, current use classification removal, additional property tax, interest rate specified: SB 4617, Sub SB 4617
- Land, water dependent uses, current use valuation, authorized: SB 4762
- Land, water dependent uses, current use valuation, authorized: SJR 144

OPTICIANS

- Account, balance transferred, general fund: *Sub HB 778, CH 227 (1982)

OPTOMETRISTS AND OPTOMETRY

- Eye examinations, conditions requiring medical doctor referral prescribed: SB 4500
- Insurance coverage, beneficiary's reimbursement, indemnity rights: Sub HB 824
- Insurance coverage, checks, joint endorsements required, exemption as specified: Sub SB 4610, *Sub HB 824, CH 168 (1982)

ORDINANCES

- Bicycle paths, designated areas, designation, use, local ordinances not allowed, funds expenditure prohibited: SB 4460
- Discrimination, ordinances against, first class cities, authority: HB 100, SB 3920
- Planning agencies, hearings, notice requirements revised: Sub HB 1007, SB 4776, Sub SB 4776
- Plats, approval procedures, time extensions, certain, local ordinance adoption authority: Sub HB 1134
- Plats, preliminary, three-year approval period, retroactive applicability: Sub HB 1134
- Sewer, water districts, "island" within, annexation, procedures prescribed, referendum provision: *SB 4064, CH 146 (1982)
- Traffic infractions, parking, notices, response failure, local penalties allowed: *SB 4492, CH 12 E1 (1982)

ORGANIZED CRIME ADVISORY BOARD

- Requirements revised: Sub SB 3120

ORGANIZED CRIME INTELLIGENCE UNIT

- Investigative information, divulging, governor, advisory board members, state patrol employees, gross misdemeanor: Sub SB 3120

OVERTON, JERRY B.

- Member, state transportation commission, GA 525, confirmed 18,575,874

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

OWEN, TRACY

Member, board of trustees, Shoreline community college
 district 7, GA 562, confirmed 390,545,884

OYSTERS (See also FOOD FISH AND SHELLFISH)

Farmers, catch, sales direct to consumer allowed: HB 1071, SB 4872
 Harvesting leases, maximum annual increase rate establishment exemption: *Sub
 SB 4824, CH 21 E1 (1982)

**PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVA-
TION PLANNING COUNCIL**

WPPSS monitoring, special committee created, duties specified, report: SCR 145

PACKAGES (See also CONTAINERS)

Bread, weight and size standards repealed, weight marking sales requirements:
 Sub HB 900

PALMER, DAVID A.

Member, state board of pharmacy, GA 464, confirmed (1981) 609,1005

PAMPHLETS

Campaign materials, public officials mailing at public expense, restrictions, penal-
 ties prescribed: HB 829, SB 4789

Campaign materials, public officials mailing at public expense, restrictions, penal-
 ties prescribed, official voter information guides exemption (vetoed): HB 829

Human rights commission, complaint copy requirement, investigation time limit,
 case prioritization, closure provisions, informational pamphlet: Sub HB 926

Voters, bond measures, information, disclosure required, contents prescribed,
 printed border requirement: Sub HB 11

Voters, bond measures, information, disclosure required: Sub HB 11

Voters, statements, preparation procedures revised, as specified: SB 4833

PANTHER, CHIEF ROBERT D.

Member, state investment board, GA 502, confirmed 12,609,869

PAPER AND PAPER PRODUCTS

Initiatives, referendums, petitions, normal size paper, use allowed, including
 newsprint: Sub SB 3645

Recycled, purchase preference, GA director rules adoption: *Sub HB 259, CH 61
 (1982)

Solid wastes, ownership, vested in collector from collection point, original owner's
 rights removed: HB 735

Solid wastes, ownership, vested in collector from collection point, original owner's
 rights removed, recyclable paper, metal, glass wastes not vested: HB 735

PARENTS

Abortion, unemancipated minor, parents, guardian, notification if possible: Sub
 HB 226

Adoption, consent: Sub HB 451

AFDC recipients, able, work requirement: SB 4699

Children, public school attendance exemption, religious, personal beliefs: SB 4737

Deinstitutionalization subsidy program, parents of institutionalized persons, cre-
 ated, conditions specified, DSHS secretary duties: SB 4847

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

PARENTS—cont.

- Parent-child relationship termination: Sub HB 451
- Social and health services financial responsibility act: Sub HB 759

PARIMUTUEL BETTING (See also HORSE RACING COMMISSION)

- Arabian horse racing, inclusion, conditions specified, race course payment revised: *SB 4584, CH 132 (1982)
- Exotic races, parimutuel receipts, retention percentage increased, distribution, bred breeders award provisions: SB 4708, *Sub SB 4708, CH 32 (1982)
- Race meets, gross receipts, commission percentage: SB 4708, *Sub SB 4708, CH 32 (1982)

PARKING - MOTOR VEHICLES

- Disabled persons, decal, special card or special license plate, use: SB 3001
- Disabled persons, reserved spaces, unauthorized use, monetary penalty established: SB 4305
- Disabled persons, reserved spaces, unauthorized use, traffic infraction: SB 3001
- Disabled persons, specified lung diseases, handicapped parking privileges eligibility: SB 4305
- Motor vehicles, license renewal, prohibited until parking violations satisfied: *Sub HB 268, CH 14 E1 (1982)
- Offenses, additional penalty assessments excluded: *SB 4492, CH 12 E1 (1982)
- Offenses, notices, response failure, local penalties allowed: *SB 4492, CH 12 E1 (1982)
- State employees, official business, away from designated post, contracting authorized, reimbursement prohibition provision: SB 4447
- Winter recreational parking account, redesignated, winter recreational program account, appropriation limitations: HB 386, *SB 3737, CH 11 (1982)

PARKS

- Hotel, motel, special tax receipts, municipal park facilities, other capital improvements, use authorized: SB 3318
- Metropolitan municipal corporations, certain, stadiums, performing, visual arts, convention facilities operation authorized, property tax levy authorized, park board establishment requirement deleted: HB 723

PARKS AND RECREATION COMMISSION, STATE

- Blue lights, motor vehicles, use authorized: HB 825
- Campsite reservation, information system, establishment, rules adoption, appropriation: SB 3612
- Enforcement officers, law enforcement authority, provisions: Sub SB 3258
- John Wayne trail select committee, establishment, members, duties, agency cooperation: SCR 143
- Milwaukee road select committee, establishment, members, duties, agency cooperation: *SCR 143 E1 (1982)
- Public works, small works roster establishment authorized, contractor prequalification provision: *Sub SB 4200, CH 98 (1982)
- Real estate, acquisition, exempt from GA director authority: *Sub HB 810, CH 41 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

PARKS AND RECREATION COMMISSION, STATE—cont.

- Recreation guide, comparison other state agency publications, OFM, directed, legislative report: SB 3915
- Recreation guide, IACOR expenditure authorized, appropriation, proceeds reimbursement requirement: SB 3915
- Recreation guide revolving fund, created, appropriation: SB 3915
- State parks, rangers, entry level, civil service probationary requirements revised: *SB 4307, CH 79 (1982)
- State parks, selected, boat moorage fee program, establishment, appropriation: HB 865, SB 4485, *Sub SB 4369, CH 50 E1 (1982)
- State parks, volunteer work: *SB 4477, CH 156 (1982)
- St Edwards seminary, appropriation limitation, minimum maintenance, deterioration prevention, sec 67: *Sub HB 811, CH 14 E2 (1981)
- Vehicles, blue lights, use authorized: Sub SB 3258
- Vynne, Eustace "Sonny" Jr, member: GA 424
- Williams, Margaret S, member: *GA 505 (1982)
- Winter recreational activities: HB 386, *SB 3737, CH 11 (1982)
- Winter recreation commission, established: *Sub SB 4841, CH 27 E1 (1982)
- Youth development, conservation corps, members' compensation, increases authorized, appropriation: SB 4313
- Youth development, conservation corps, members' compensation, increases authorized: HB 273

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- Adjourn more than three days if majority of members agree 1002
- Amendment strikes everything after enacting clause, cannot divide question 1035
- Amendment tabled, main issue not tabled 744
- Amendments considered in committee of the whole, procedure accomplished when report adopted and motion to advance to third reading is passed . . 2360
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- Committee report inappropriately before senate, SCR 137. 938,944-945,969-970
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- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) . . . Passed during 1981 Second Special Session.
- E1 (1982) . . . Passed during 1982 First Special Session.
- E2 (1982) . . . Passed during 1982 Second Special Session.

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Trade names, registration required, conditions specified, fees, licensing department director rules adoption, appropriation: SB 4528

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Pasco-Kennewick bridge, across Columbia river, preservation specifications: Sub SB 3027, 2nd Sub SB 3027

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Fetus born alive during abortion procedure, immediate medical treatment required: SB 3370

Hospitals, nursing homes, wine, beer by the glass, patients, family members, visitors, offering allowed: *Sub HB 1063, CH 85 (1982)

- *
- GA
- SR
- E2 (1981) ...
- E1 (1982) ...
- E2 (1982) ...

Measures passed by Senate and House. Also Senate Resolutions adopted.

Gubernatorial Appointment.

Senate Floor Resolutions.

Passed during 1981 Second Special Session.

Passed during 1982 First Special Session.

Passed during 1982 Second Special Session.

PATIENTS—cont.

- Nursing homes, plan of care, review requirement, repealed: *Sub HB 852, CH 120 (1982)
- Nursing homes, publicly supported, voluntary contributions, care costs offset, DSHS program development intent: Sub HB 1158
- Nursing homes, revisions: *Sub HB 760, CH 11 E2 (1981)

PAYROLLS (See also SALARIES AND WAGES)

- IRA's, public employees, deductions authorized: SB 4697, *Sub SB 4697, CH 107 (1982)
- Political contributions, payroll deductions prohibited: SB 4698

PENALTIES - CIVIL

- Air pollution, violations, maximum fine increased: SB 4835
- Blood banks, wilful violations, imposed: SB 4583, Sub SB 4583
- Contracts, competitive bid requirements violations, penalties modified: SB 4758
- Public disclosure, violations, uniform penalties application required: SB 4473
- Snowmobiles, dealers, authorized: *HB 896, CH 17 (1982)

PEND OREILLE COUNTY

- Judicial district, new position, one-half salary payment requirement: *Sub SB 4449, CH 139 (1982)

PENINSULA COMMUNITY COLLEGE DISTRICT NO. 1, BOARD OF TRUSTEES

- Potthoff, Neil S, member: GA 472, confirmed (1981), 417,862
- Rosmond, Frederick B, member: GA 572, confirmed 418,735,1008

PER DIEM (See also TRAVEL)

- Asian-American affairs commission, members, pay removed: *HB 942, CH 68 (1982)

PERFORMANCE AUDITS

- Forms management, procedures updated: SB 3020
- Geographic names board, members, terms, LBC performance audit requirements: HB 527
- Readable law program, legislative budget committee, required: Sub HB 835
- Rehabilitation review office, OFM requirements, appropriation: SB 3902, *HB 454, CH 63 (1982)

PERFORMING ARTS AND PERFORMING ARTS CENTERS

- Liquor license, class L, nonprofit arts organizations, as defined, established, fee imposed: HB 342
- Metropolitan municipal corporations, certain, operation authorized: HB 723

PERMITS

- Archaeology and historic preservation, dig permits, fees authorized: HB 960, SB 4565
- Building, issuers, agencies, property values, diminished, altered drainage, liability specified: SB 4916
- Building, unregistered contractors, revocation provisions: SB 4631, Sub SB 4631
- Environmental coordination, permit processing, ecology department, inclusion: Sub HB 634

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

PERMITS—cont.

- Environmental coordination procedures act, permits, approval, time limits set:
*HB 859, CH 179 (1982)
- Fireworks, permit required before licensing: SB 3341
- Fireworks, regulations revised: SB 4597, Sub SB 4597, *Sub HB 1149, CH 230 (1982)
- Fishing, game, licenses, permits, single individual, one document, applicable endorsements, combination, licensing department, directed: Sub SB 3751
- Forest land, live coals, fire, deposit, closed season, prohibited, exceptions, burning permits, violation, misdemeanor: HB 223
- Garbage trucks, additional tonnage permit specifications: SB 4907
- Logging road, as defined, SMA substantial development permit exemption: Sub SB 3728
- Property interests, relief from governmental acts: SB 4766, *Sub HB 1006, CH 232 (1982)
- Sales tax, exemption, fee increased, nonresident permits tax gain study directed:
*Sub HB 840, CH 5 E1 (1982)
- Salmon hatcheries, private nonprofit, authorized, conditions specified: SB 4754
- Salmon, release-recapture facilities, authorized, fisheries department provisions:
SB 4761
- Shoreline management, substantial development, granting revised: SB 4618
- Shoreline, review, shoreline hearings board, on the record requirement, de novo hearings, contested case hearings, notices: Sub HB 914
- Substantial development permits, ECPA permit definition exclusion: Sub HB 634
- Wastewater outfall, operation, south of Duwamish Head, DOE funds expenditure prohibited, sec 65 (vetoed): Sub HB 811
- Wastewater treatment outfall, establishment between Alki Point/Dash Point prohibited, conditions prescribed: SB 4482
- Work, minors, L&I rules establishment directed, law administration, user fees established: HB 795

PERSONAL SERVICES CONTRACTS

- Auditing services, revenue department, out-of-state contracts permitted: SB 4392, SB 4605, *Sub SB 4605, CH 128 (1982)
- Higher education institutions, private sector services, purchase authorized: Sub HB 1216
- Laundry services, UW, private sector contracts allowed, supply management advisory board, arbitration: Sub HB 1216

PERSONNEL AND PERSONNEL DEPARTMENT

- Health departments, combined city and county, personnel system separate from city or county personnel or civil service systems permitted: *SB 4354, CH 203 (1982)
- Labor relations, general revisions, public employment labor relations service fund, created: SB 4954
- Marine employees' commission, appropriation transferred from DOP: SB 4609, Sub SB 4609
- Performance evaluation standards, development required, appeal limitation: *Sub HB 1226, CH 53 E1 (1982)

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) . . . Passed during 1981 Second Special Session.
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- E2 (1982) . . . Passed during 1982 Second Special Session.

PERSONNEL AND PERSONNEL DEPARTMENT—cont.

- Personnel activities, administrative, technical, delegation authorization, director standards, guidelines prescription required: Sub HB 763, *Sub HB 1226, CH 53 E1 (1982)
- Probation period, flexibility permitted: *Sub HB 1226, CH 53 E1 (1982)
- Reduced worktime program act: SB 4849
- Reemployment formula, development required, performance, seniority provisions, nonappealable beyond agency: Sub HB 763
- Reversion rights, classified employees in exempt positions, four year limitation: Sub HB 763, *Sub HB 1226, CH 53 E1 (1982)
- Salaries, comparable worth adjustment required, as specified: SB 4769
- Vacation leave, unused, accrued, termination of employment, payment prohibited, LEOFF exemption, accumulated use provision: *Sub SB 5007, CH 51 E1 (1982)
- Work performance, step increase, review requirement, nonappealable beyond agency: Sub HB 763

PERSONNEL APPEALS BOARD

- Daly, Maxine E, member: GA 507, confirmed 13,475,869
- Gordon, John F, member: GA 508, confirmed 13,475,870
- Hearings, administrative hearings office exclusion: *HB 907, CH 189 (1982)
- Hunter, Al, member: GA 509, confirmed 13,476,870

PERSONNEL BOARD, STATE

- Basic procedures, rules modified: Sub HB 763
- Lobe, Ludwig, member: GA 506, confirmed 13,475,869
- Newman, Della M, member: GA 574, confirmed 435,477,887
- Reduced worktime program act: SB 4849
- Salaries, comparable worth adjustment required, as specified: SB 4769
- Salaries, increases, appropriation decrease, salary, incremental fringe benefit increase allocation deleted, 5% decrease, April, 1982, required: SB 4611

PESTICIDES AND HERBICIDES

- Aerial applications, emergency measures, agriculture director, governor authority: SB 4684, *Sub SB 4684, CH 153 (1982)
- Endrin, heptachlor, etc, use, environmental impact statement required: SB 4918
- Insect detection and control program, agriculture department appropriation: *Sub SB 4684, CH 153 (1982)

PETER, PHILIP A.

- Member, state commission for the blind, GA 403, confirmed . . (1981), 817,1004

PETERSEN, N. CLIFFORD

- Member, juvenile disposition standards commission, GA 558, confirmed 418,702,887

PETERSON, LOWELL

- Remarks, regarding Phil Sutherland 122

PETERSON, PAUL W.

- Member, juvenile disposition standards commission, GA 571, confirmed 389,702,883

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

PETITIONS (See also INITIATIVES AND REFERENDUMS)

- Appearance of fairness doctrine, applicability limited: SB 4741, *Sub HB 1011, CH 229 (1982)
- Candidates, indigent, filing: SB 4472, Sub SB 4472
- Initiatives, referendums, clarifications prescribed: Sub SB 3895
- Initiatives, referendums, petition requirements updated: *Sub HB 663, CH 116 (1982)
- Initiatives, referendums, petitions, normal size paper, use allowed, including newsprint: Sub SB 3645
- Initiatives, referendums, signature sufficiency, judicial review, terminology updated: SB 4625
- LID's, formation, financing, procedures modified, petitions, bonds, interest rates, foreclosure, annual levy: HB 519
- Public disclosure reports, suspension, cost-savings measure, certain small jurisdictions, provisions: SB 4554
- Recall elections, requirements revised: SB 4589
- School districts, new, consolidation, requirements: *Sub HB 849, CH 191 (1982)
- Street lighting systems, sewer, water districts, establishment authorized, resolution, petition in opposition provisions: *SB 4602, CH 105 (1982)

PHARMACEUTICAL AGENTS

- Optometry, use regulated: SB 3040

PHARMACY BOARD AND PHARMACISTS

- Controlled substances, imitation, defined, crimes, penalties specified, exempted uses stated: *Sub HB 15, CH 171 (1982), Sub HB 820
- Division unit, appropriation: 2nd Sub HB 603
- DMSO, legend drug, sales, use authorized: SB 3185, Sub SB 3185
- Look-a-like drugs, imitation drugs defined, crimes, penalties, specified, exempted uses stated: *Sub HB 15, CH 171 (1982), Sub HB 820
- Palmer, David H, member: GA 464, confirmed (1981), 609,1005
- Prophylactics, sales deregulated: SB 3121
- Termination, sunset act, date established: SB 4626, *Sub HB 875, CH 223 (1982)

PHOTOGRAPHS

- X-rated materials, sales tax, 20% of retail sales price, imposed: SB 4598

PHYSICAL THERAPY

- Health studio services, contracts, regulated: SB 4721
- Physical therapists examining committee, renamed board of physical therapy, membership increased, professional qualifications, continuing education, license suspension: SB 3332, Sub SB 3332

PHYSICIANS AND SURGEONS (See also HEALTH CARE SERVICES AND PROVIDERS; MEDICAL PRACTITIONERS)

- Abortion, informed consent requirement: Sub HB 226
- Abortion, unemancipated minor, parents, guardian, notification if possible: Sub HB 226
- Agent orange, delayed stress syndrome, information, VA department distribution, physicians, mental health centers, required: *SB 4619, CH 97 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

PHYSICIANS AND SURGEONS—cont.

- Agent orange, other chemical defoliants, veterans, physicians, hospitals, DSHS, UW medical facilities, attorney general provisions: SB 4687
- Dentists, nondental anesthesia use allowed, medical disciplinary board jurisdiction: *Sub HB 1047, CH 51 (1982)
- DMSO, sales, use, legend drug, authorized: SB 3185, Sub SB 3185
- Emergency medical care, refusal prohibited, as specified: SB 4873
- Eye examinations, optometrists, conditions requiring medical doctor referral prescribed, optometry board rules adoption authority: SB 4500
- Human remains, donees, definition expanded, entity with fulltime physician or surgeon as employee: *HB 720, CH 9 (1982)
- Medical examiner system, state, established, conditions specified: SB 4991
- Nursing homes, medication order requirements revised: *Sub HB 852, CH 120 (1982)
- Pharmaceutical agents, optometry use regulated: SB 3040

PILOTAGE COMMISSIONERS, BOARD OF (See also PILOTS – SHIPS)

Richmond, Chester A, member: GA 579..... 737,1193

PILOT PROJECTS AND PROGRAMS

- Grocery stores, commerce and economic development department authorization repealed: SB 4679, *Sub HB 878, CH 182 (1982)
- Schools, four-day week, pilot program authorized, objectives stated, SPI duties: HB 1000
- Small business innovators' opportunity program, established, termination date, CED appropriation: SB 4582, *HB 1013, CH 44 (1982)

PILOTS – SHIPS

Persons over 18, state waters, allowed: Sub HB 148

PIPELINE (See also ENERGY FACILITIES AND ENERGY FACILITY SITE EVALUATION COUNCIL)

Coal slurry, certain, EFSEC authority: SB 4508

PISTOLS (See also GUNS)

- Concealed, license requirements, abode, business, vehicle provisions: SB 4470, *HB 600, CH 47-E1 (1982)
- Concealed, without license, felony, mandatory fine: SB 4923
- Dealers, license fee increased: SB 4923
- Drunk drivers, as specified, gun possession, concealed weapon permits prohibited: SB 4923
- Firearms laws violations, misdemeanor punishment prescribed: SB 4923
- Hospitals, mental institutions, records, law enforcement inspection authorized, concealed weapon application purposes, confidentiality violation, felony: SB 4923
- Parolees, certificate of discharge, pistol possession not allowed: SB 4923
- Possession, school, college, university, school or transit buses, liquor stores, court-rooms, penalties prescribed: SB 4923
- Regulations, local, state preemption: SB 4923
- Regulations, vote of the people required: SB 4923

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

PISTOLS—cont.

- Sales, license issuance persons under 18, prohibited: SB 4923
- Sales, without concealed weapon license prohibited, license, purchase denial appeal procedure specified: SB 4923
- Violations, mandatory minimum fines imposed: SB 4923

PLAISANCE, RICHARD T.

- Member, board of trustees, Olympic community college district 3, GA 561, confirmed 390,545,884

PLANNING AND COMMUNITY AFFAIRS AGENCY

- Border counties, mental health services, additional funds, as specified, appropriation: SB 4856
- Cities, towns, consolidations, annexations, population certification authority transferred, OFM: SB 3647
- Columbia river gorge commission, abolished: SB 4633, SB 4914
- Columbia river gorge review commission, created, powers, duties, members, appropriation: SB 4914
- Columbia river gorge select committee, abolished: SB 4914
- Community economic revitalization board, created: SB 4622, *2nd Sub HB 906, CH 40 E1 (1982)
- Community redevelopment financing act: SB 4603, Sub SB 4603, *2nd Sub SB 4603, CH 42 E1 (1982)
- Low-income housing program, federally supported, additional state support, appropriation, sec 47: Sub SB 4264
- Low-income housing program, federally supported, additional state support, appropriation, sec 51: *Sub SB 4369, CH 50 E1 (1982)
- Manufactured housing advisory task force, establishment directed, members, report, assistance, appropriation: Sub SB 3308
- Manufactured housing sites, adequate, cities, towns, policy declared: Sub SB 3308
- Neighborhood assistance act: SB 4915
- Occupational information service, employment security department, designated agency: SB 4628, *Sub HB 920, CH 43 (1982)
- Public improvements, indebtedness, payment means provided, hearings requirements, eminent domain, potential use, public information: Sub SJR 143
- Public improvements, indebtedness, payment means provided: SJR 143, *Sub SJR 143 E1 (1982)
- Reorganized, office of community programs, purpose declared, functions, duties, antipoverty programs administration, sunset termination: SB 4586, Sub SB 4586

PLANS, PLANNING, PLANNING COMMISSIONS (See also ENVIRONMENTAL IMPACT STATEMENTS; PLATS AND PLATTING; SUBDIVISIONS; ZONING)

- Building permits, issuers, agencies, property, diminished value, altered drainage, liability specified: SB 4916
- Cherry Point, shoreline, state-wide economic significance designation, commercial uses encouraged, as specified (vetoed): SB 4831

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
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 E1 (1982) ... Passed during 1982 First Special Session.
 E2 (1982) ... Passed during 1982 Second Special Session.

PLANS, PLANNING, PLANNING COMMISSIONS—cont.

- Cities, boundary review board procedures, SEPA exemption, annexation petition consideration, charter elections: *SB 3446, CH 220 (1982)
- Hearings, notice requirements revised: Sub HB 1007, SB 4776, Sub SB 4776
- Highway lands, state, residential construction encouraged, zoning variances needed: SB 4568
- Historic preservation planners, local governments, responsibilities, program established: Sub SB 3026
- Land use decisions, local legislative officials, appearance of fairness doctrine, limited applicability: SB 4741, *Sub HB 1011, CH 229 (1982)
- Manufactured housing advisory task force, planning and community affairs agency, establishment directed, members, report, assistance, appropriation: Sub SB 3308
- Manufactured housing sites, adequate, cities, towns, policy declared: Sub SB 3308
- Salmon management plan, fisheries department, preparation requirement, legislative reports: Sub SB 3557
- SEPA, actions, bond required, plaintiffs, court requirement: SB 4386
- Sewerage system, redefined, sewerage and/or water general plan, comprehensive plan, inclusion: SB 3739, Sub SB 3739
- Sewer, water districts, general comprehensive plans, county legislative authority responsibilities: SB 4481, *Sub SB 4481, CH 213 (1982)

PLATS AND PLATTING (See also SUBDIVISIONS)

- Land, division, preliminary plats, three-year approval period, retroactive applicability: Sub HB 1134
- Land, division, time extensions, certain, plat approval procedures, local ordinance adoption authority: Sub HB 1134
- Port districts, land sold, five-year short plat restriction exemption: SB 4746
- Surveys, public land, official plats, certified copies, county auditor recording, DNR appropriation: HB 641

PLUMBERS

- Water heaters, thermostats, temperature setting requirements, owners', residents provisions, warning tag requirement: Sub HB 973, SB 4904

PODIATRY

- Insurance coverage, beneficiary's reimbursement, indemnity rights: Sub HB 824
- Insurance coverage, checks, joint endorsements required, exemption as specified: Sub SB 4610, *Sub HB 824, CH 168 (1982)
- Licensure, state podiatry board established: SB 4365, *Sub HB 174, CH 21 (1982)

POISONS

- Toxic plants, retail sales, warning labels required, agriculture director rules adoption, violations, misdemeanor: SB 4601

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

**POLITICAL ACTIVITIES (See also LOBBYISTS AND LOBBYING;
PUBLIC DISCLOSURE AND PUBLIC DISCLOSURE COM-
MISSION)**

- Advertising, violations, admitted, promises to further violations, revision, prosecutor, failure to act, injunction proceedings: HB 472
- Campaign funds, transfers, candidate, committees, etc, PDC report, separate page required: HB 1119
- Campaign materials, public officials mailing at public expense, restrictions, penalties prescribed: HB 829, SB 4789, Sub SB 4789
- Campaign materials, public officials mailing at public expense, restrictions, penalties prescribed, official voter information guides exemption (vetoed): HB 829
- Candidates, filing requirements revised: *Sub SB 3249, CH 147 (1982)
- Candidates, financial reports, public inspection, availability limited: Sub SB 4142
- Candidates, indigent, petitions of candidacy, filing in lieu of filing fee payment, permitted, declaration invalidation provision: SB 4472, Sub SB 4472
- Candidates, municipal office, declaration of candidacy filing, city, town clerk, delivery to county auditor requirement: HB 439
- Candidates, residence defined, registration purposes: SB 4921
- Candidates, simultaneous candidacy, incompatible offices, not allowed: SB 4624
- Candidates, surplus funds, transference, dollar amount limit removed: Sub SB 4142
- Contributions, amount without individual identification increased: *Sub SB 3249, CH 147 (1982)
- Contributions, political action committees, certificated employees, payroll deduction restrictions specified: SB 4637
- Contributions, public employees, certain, payroll deductions prohibited: SB 4698
- Fair campaign code, enacted, prohibited practices specified, public disclosure commission duties: SB 4869
- Legislators, contributions, acceptance during legislative session, prohibited, exemption provision: Sub SB 3844
- Legislators, felony conviction, salary terminated, restoration provisions: SB 3864
- Lobbying activities, state agencies, restrictions imposed, as specified: SB 4850
- Lobbyists' booklet, biennial publication required, private or public entity publication selection allowed, lobbyists' revolving fund appropriation: Sub SB 4142
- Lobbyists, registration statement, financial statement revisions: *Sub SB 3249, CH 147 (1982)
- Lobbyists' reporting, certain exclusion: Sub SB 4142
- Political action committees, as specified, bona fide charitable, nonprofit organization, gambling purposes, allowed: Sub SB 4759
- Political committees, continuing, contributions reporting: *Sub SB 3249, CH 147 (1982)
- Precincts, size, boundary, polling place provisions: SB 4959
- Public disclosure, reports, time frame: *Sub SB 3249, CH 147 (1982)
- Public disclosure, toll-free telephone hotline program, appropriation: Sub SB 3249
- Public disclosure, violations, uniform penalties application required: SB 4473
- Public employees, full participation permitted: SB 3526
- Registration, reporting exemptions, certain, criteria revised: Sub SB 4142

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

POLITICAL ACTIVITIES—cont.

State treasurer and state treasurer candidates, public disclosure, property ownership, certain, income tax returns, certain, current net worth statement, required: SB 3530

POLITICAL SUBDIVISIONS

Budget stabilization act, loans, as specified: Sub HB 1109

Credit cards, taxes, fees, fines, payment use, authorized: SB 4364

Debts, public, collection agencies, use permitted: SB 4476, *HB 844, CH 65 (1982)

Funds, investment, local government investment board, pool, created, state treasurer appropriation: SB 4743

Planning agencies, hearings, notice requirements revised: Sub HB 1007, SB 4776, Sub SB 4776

Property, private, regulation, challenges, litigation expenses, as specified: SB 4989

Public service companies, fees, licenses, certain, prohibitions specified, temporary continuation provision: *SB 4972, CH 49 E1 (1982)

Public works, domestic wood products, purchase required, OFM rules adoption, exemptions: SB 4823

Salaries, employees, officials, higher than governor's, prohibited: SB 4615

Short-term obligations, issuance authorized, existing bonds, interest provision: SB 4728, *Sub SB 4728, CH 216 (1982)

POLLUTION CONTROL

Air pollution, violations, maximum fine increased: SB 4835

Motor vehicles, emission control program: HJM 24, HB 915, SB 4652

Motor vehicles, used, sold by dealers, emission testing exemption: HB 915

Nuclear waste, high-level, federal policies, modification petitioned: SJM 116

Nuclear waste, low-level, in-state storage, volume reduction, radiation control agency, directed, as specified: SB 4590

Odors, agricultural, clean air act exemption, conditions specified, violations, appeal process, exemption exclusion, land sales, residential purposes: Sub SB 4044

Public works contracts, repeals, replaces current statutes, bids, notices, pollution control, natural resources compliance, intentional violations: SB 4200

Tax credits, phase-out deadline established: SB 4393

Tax credits, terminated: *Sub HB 485, CH 9 E2 (1981)

POPULATION

Cities, towns, consolidations, annexations, population certification authority, planning and community affairs agency authority transferred, OFM: SB 3647

Port districts, commissioners, increase to five, election requirement, 500,000 population reached: *SB 4425, CH 219 (1982)

PORNOGRAPHY

Defined, enforcement authority: *Sub HB 626, CH 184 (1982)

X-rated materials, sales tax, 20% of retail sales price, imposed: SB 4598

PORTS AND PORT DISTRICTS

Cherry Point, shoreline, state-wide economic significance designation, commercial uses encouraged, as specified (vetoed): SB 4831

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

PORTS AND PORT DISTRICTS—cont.

- Commission, three-member, certain large districts, membership expansion, requirement, proposition submission, commissioner district provision: HB 57, SB 4448
- Commission, three-member, 500,000 population reached, increase consideration, election requirement: *SB 4425, CH 219 (1982)
- Community economic revitalization board, created: SB 4622, *2nd Sub HB 906, CH 40 E1 (1982)
- Fire protection, contract requirements under interlocal cooperation act, specified: SB 4875
- Harbor areas, aquatic lands, leases, fair market value, administrative fee, rate setting, right of appeal: SB 3578
- Harbor areas, aquatic lands, leases, fair market value, rate setting, right of appeal, conditions prescribed: Sub SB 3578
- Harbor areas, first class shorelands, annual rental fee, permissible increase rate increased: SB 4423
- Harbor areas, management, commerce navigation needs, adjacent, port districts, lease conditions: Sub SB 3578
- Heating systems, establishment authorized, conditions specified: Sub SB 3033, 2nd Sub SB 3033
- Industrial development levies, allowable time period lengthened: Sub SB 4963
- Industrial development levies, allowable time period lengthened, voter approval requirement: *Sub SB 4963, CH 3 E1 (1982)
- Land, sold, five-year short plat restriction exemption: SB 4746
- Moorage facilities, rentals, use, regulations adoption authorized, enforcement procedures establishment permitted: SB 4014, Sub SB 4014
- Navigation projects, federal full funding maintenance petitioned, user fees imposition opposed: *SJM 115 E1 (1982)
- Property, personal, sale, secured party rights granted, purchase price, deposit, annual payment requirements: *SB 4571, CH 75 (1982)
- Public works contracts, over \$30,000: Sub HB 956
- Rail lines, operation, inside, outside district, permitted, conditions prescribed: Sub SB 3961
- Seattle, Smith's cove waterway, offer to sell, fair market value, appraisal costs reimbursement: *SB 4025, CH 1 E1 (1982)
- Seattle, Smith's cove waterway, vacation, conditions prescribed: SB 4025
- Short-term obligations, issuance authorized, existing bonds, interest provision: SB 4728, *Sub SB 4728, CH 216 (1982)
- Small works projects, maximum cost increased, proposals, five separate, appropriate contractors, submission invitation required: *Sub SB 3361, CH 92 (1982)
- Small works projects, maximum cost increased: SB 3361

POST OFFICES

Mt. St. Helens, commemorative stamp issuance petitioned: HJM 15

POSTSECONDARY EDUCATION, COUNCIL FOR (See also HIGHER EDUCATION)

British Columbia reciprocity program: SB 4694

Community college education board, abolished, property, functions transferred: SB 4457

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) . . . Passed during 1981 Second Special Session.
- E1 (1982) . . . Passed during 1982 First Special Session.
- E2 (1982) . . . Passed during 1982 Second Special Session.

POSTSECONDARY EDUCATION, COUNCIL FOR—cont.

- Displaced homemaker program, extended, evaluation requirement, marriage license fee, additional imposed, appropriation: *HB 286, CH 15 E1 (1982)
- Goldsworthy, Robert F, member: GA 510, confirmed 14,531,870
- Mage, Betty J, member: GA 580, confirmed 931,1120,1199
- Performance evaluation standards, management employees, development directed: *Sub HB 1226, CH 53 E1 (1982)
- Postsecondary education system, redefined: SB 4738, Sub SB 4738
- Salaries, responsibilities, studies, legislative reports: SB 3881
- Scholars program, high school seniors, appropriation: SB 3635
- Student financial aid, supplementation appropriation: *2nd Sub HB 784, CH 37 E1 (1982)
- Travel, reduction specified, sec 90 (vetoed): Sub HB 811

POULTRY AND POULTRY PRODUCTS

- Coupons, sales, prohibition removed: SB 4742
- Sales, no implied warranties provision: *SB 4436, CH 199 (1982)

POTTHOFF, NEIL S.

- Member, board of trustees, Peninsula community college district 1, GA 472, confirmed (1981), 417,862

PRECINCTS

- Size, boundary, polling place provisions: SB 4959

PREGNANCY

- Abortion, fetus born alive during abortion procedure, immediate medical attention required: SB 3370
- Abortion, unemancipated minor, parents, guardian, notification if possible: Sub HB 226
- Abortion, woman, informed consent requirement: Sub HB 226

PRESIDENT OF THE SENATE (See also LIEUTENANT GOVERNOR; also CHERBERG, LIEUTENANT GOVERNOR JOHN A.; also RULINGS BY THE PRESIDENT; also PARLIAMENTARY INQUIRIES)

- Introduction, Honorable Ivar Schmidt, member of Australian parliament . . . 403
- Presiding, joint sessions 4-6,395-398,486-491,614-616
- Remarks, congratulating members, staff 2642
- Remarks, regarding retirement of Senator Wilson 1765,1774,1775

PRICE-ANDERSON NUCLEAR LIABILITY ACT

- Modification petitioned: SJM 131

PRICES

- Gasoline, gas tax, omission from selling price, permitted: *HB 854, CH 6 E1 (1982)
- Gasoline price posting act: SB 4829
- Timber contract price indexing advisory committee, created, members, duties, report: *Sub SB 4663, CH 222 (1982)
- Trade-in allowances, selling price, deduction, sales tax purposes: HB 755

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

PRINCE, ROBERT W.

Member, board of trustees, Wenatchee community college
 district 15, GA 541, confirmed 22,735,1006

PRISON TERMS AND PAROLES BOARD

Corrections institutions, inmate population reduction: Sub HB 922, SB 4577
 Corrections institutions, overcrowding, emergency procedures, inmate reduction
 criteria development required: SB 4958
 Parole, probation services, costs, release, monthly payments required, conditions
 prescribed, corrections department appropriation: *HB 768, CH 207 (1982)
 Prison overcrowding, inmate reduction criteria development required: SB 4958
 Prison overcrowding reform act: SB 4577, *Sub HB 922, CH 228 (1982)
 Sentences, offenses, certain, statutory changes, consideration required: SB 4685

PRISONERS - WAR

License plates, free, authorized: *HB 623, CH 115 (1982), Sub SB 3035, SB
 4720

PRISONS AND PRISONERS

Confinement, sentenced from other jurisdictions, correctional institutions, as
 defined: HB 968, SB 4784
 County, fine reduction rate, establishment permitted: SB 3301
 Criminally insane, conditional release, local confinement pending placement: *HB
 381, CH 112 (1982)
 Escapees, arrest warrants, issuance authorized, detention pending extradition
 authorized: HB 970, SB 4779
 Furloughs, maximum period, medical furloughs excluded: HB 966, SB 4777
 Inmate labor, state facilities, maintenance work, corrections, GA departments,
 legislative report required: HB 768
 Inmates, leaves of absence, authorized, jurisdiction notification requirement: HB
 967, SB 4785
 Inmates, products made, sales to public authorized: SB 4822
 Interstate corrections compacts, participation authorized: SB 4780
 Jails, net capital savings, state, local governments, equal division, use provisions:
 Sub HB 774
 Jails, space requirements, operating, other standards, commission review, modifi-
 cation directed, as specified: *Sub HB 774, CH 12 E2 (1981)
 Jails, standards, changes, legislature notification requirement: Sub HB 774
 McNeil Island, permanent correctional site, acquisition petitioned: SCR 144
 Parole, probation services, costs, release, monthly payments required, conditions
 prescribed, corrections department appropriation: *HB 768, CH 207 (1982)
 Parole, probation services, costs, release, reasonable payments required, condi-
 tions prescribed: HB 768
 Prison overcrowding emergency relief procedures, prescribed: SB 4958
 Prison overcrowding reform act, inmate population reduction provisions: SB 4577,
 *Sub HB 922, CH 228 (1982)
 Prisons, work programs, more physical, DSHS, immediate development, imple-
 mentation directed: SCR 104
 Released, paroled, sufficient funds, determination provisions modified: SB 4782

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

PRISONS AND PRISONERS—cont.

- Riots, local law enforcement agencies, state patrol, assistance, corrections secretary request authorization: SB 4778
- Riots, local law enforcement agencies, state patrol, assistance, corrections secretary request authorization, reimbursement provision: *Sub HB 965, CH 49 (1982)
- Riots, local, state agencies, contingency plan development, participation failure, corrections secretary report requirement: *Sub HB 965, CH 49 (1982)
- Tobacco products, must be earned, sec 42 (vetoed): Sub HB 811
- Transferred outside state, personal security purposes, notice of transfer requirement exemption: SB 3424

PRIVACY (See also RECORDS AND DOCUMENTS)

- Rape crisis centers, records, defense attorney availability: Sub SB 3958
- Sexual assault victims, counselors, communications, crime prosecution, not admissible, conditions prescribed: SB 3958

PRIVATE CARRIERS (See also MOTOR FREIGHT)

- Commercial zones, certain cities, establishment formula prescribed, establishment, expansion authorized, conditions specified: SB 4504
- Motor freight carriers, commercial zones, terminal areas, established: *SB 4484, CH 71 (1982)

PRIVATE UTILITIES (See also UTILITIES)

- Electric rate structures, inverted, required: SB 4616

PROBATE

- Estates, informal, authorized, conditions specified: SB 4722
- Wills, validity determination, prior to death of testator, authorized: SB 4710

PROBATION AND PAROLE (See also PRISON TERMS AND PAROLES BOARD)

- Counselors, obsolete provisions deleted: SB 3019
- Court modification: *HB 600, CH 47 E1 (1982)
- Crime victims compensation, criminal penalty assessments, probation condition: *2nd Sub HB 828, CH 8 E1 (1982)
- Drunk drivers, mandatory 24-hour imprisonment, probation, diagnostic evaluation, treatment, second conviction provisions: SB 4819, Sub SB 4819, *HB 600, CH 47 E1 (1982)
- Parolees, probationers, services, costs, release, monthly payments required, conditions prescribed, corrections department appropriation: *HB 768, CH 207 (1982)
- Parolees, probationers, services, costs, release, reasonable payments required, conditions prescribed: HB 768

PRODUCTS (See also GOODS)

- Export assistance centers, establishment, CED appropriation: Sub HB 1141
- Forest products industry employment recovery act: SB 4711
- Forest products recovery act, extension, default, interest provisions, St Helens damaged timber excluded: *Sub SB 4663, CH 222 (1982)
- Inmates, institutions, sales to public authorized: SB 4822
- Wood, domestic, public works projects, purchase required: SB 4823

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

PROFESSIONAL SERVICE CORPORATIONS

Shareholders, corporate authority clarified: SB 3145

PROGRAMS

Abuse prevention, schools, SPI adoption urged: SCR 134

Abuse prevention, schools, SPI guidelines, curriculum development directed: Sub SCR 134

Alcoholism, drug abuse programs, counties, provisions modified: SB 4643, *HB 410, CH 193 (1982)

Cancer research, cigarette tax, increased, funds use, DSHS allocation authority, LBC program evaluation, report requirements: HB 885

Child abuse and neglect council, established, community-based programs, marriage license fee increased, report, termination, governor appropriation: *3rd Sub HB 179 CH 4 (1982)

Deinstitutionalization subsidy program, created, DSHS: SB 4847

Education enrichment block grant act: SB 4693, Sub SB 4693

Emergency management, select committee, establishment, program consideration, members, report: SCR 142

Employment services program, employment security department, appropriation: SB 4594

Handicapped children program: SB 3912

Insect detection and control program, agriculture department appropriations: *Sub SB 4684, CH 153 (1982)

Natural heritage, natural resources department appropriation, expenditures recovery requirement: *SB 4681, CH 154 (1982)

Nursing homes, patients, publicly supported, voluntary contributions, care costs offset, DSHS program development intent: Sub HB 1158

Office of community programs, community financial, technical assistance, federal, state, local health, living standards program, delivery assistance: SB 4586, Sub SB 4586

Oil recycling: SB 4686

Planning and community affairs agency, reorganized, office of community programs, functions, duties, antipoverty programs, sunset termination: SB 4586, Sub SB 4586

Postsecondary student assistance, federal funds, further reductions opposition petitioned: SJM 118, *Sub SJM 118 (1982)

Prisons, work programs, more physical, DSHS, immediate development, implementation directed: SCR 104

Reduced worktime program act: SB 4849

Ride-sharing programs, other transportation system techniques, priority, policy established: SCR 135

Scholars program, high school seniors, CPE appropriation: SB 3635

School facilities, existing, energy conservation program, SPI, energy office, ESD's cooperation, conditions specified, funds use, rules, appropriation: Sub SB 3277

Shared work unemployment insurance program: SB 4593

Small business innovators' opportunity program, established, CED appropriation: SB 4582, *HB 1013, CH 44 (1982)

Students, direct student service programs, ESD establishment authorized: *HB 401, CH 46 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

PROGRAMS—cont.

- Voluntary motorcycle education and training, licensing department implementation, appropriation: SB 4692, *Sub SB 4692, CH 77 (1982)
- Wine grape production, industry research, instruction programs, WSU, provisions, tax disbursement, agriculture college: Sub SB 3408
- Winter recreation activities, programs, public agency development permitted, parks, recreation commission grants, contracts: HB 386, *SB 3737, CH 11 (1982)

PROPANE

- Motor vehicle use, license fee continued: HB 1002

PROPERTY (See also PROPERTY – PERSONAL; PROPERTY – REAL; see various headings for TAXES)

- Controlled substances, acquisition use, forfeiture requirement, use without owner's consent, knowledge, forfeiture prohibited: *Sub HB 15, CH 171 (1982)
- Insurance, motor vehicles, comprehensive, collision coverage, liability coverage inclusion required: SB 3244
- Motor vehicles, insurance, underinsured coverage, hit and run, phantom vehicles, as defined, deductible amount: SB 3244
- Schools, damages, pupil liability: *Sub HB 462, CH 38 (1982)
- Surplus, school districts, disposition requirements prescribed, private school rights provision: SB 3753, Sub SB 3753

PROPERTY – PERSONAL (See also TAXES – PROPERTY)

- Business inventory, leased personal property, not remanufactured, property held for lease, rental, definition exclusion: Sub SB 3402, *Sub HB 313, CH 174 (1982)
- Destroyed, owner, replacement cost, use loss value, damages recovery permitted: SB 4986
- Forcible entry, unlawful detainer actions: SB 4556
- Inspections, administrative, warrants, issuance, execution, uniform procedures established: SB 4494, Sub SB 4494
- Intangible personal property, annual property tax imposed, conditions, exemptions, penalties specified: SB 4855
- Intangible property, retail sales, use taxes, securities, as defined, imposed, exemptions specified: SB 4450
- Limited casualty program, eligibility, assets transfer provisions, prohibitions, penalties prescribed: *2nd Sub HB 557, CH 3 E2 (1981)
- Local government, self-insurers, loss, damage, losses resulting from loss, insurance coverage permitted: SB 4765
- Port districts, sales, secured party rights granted, purchase price, deposit, annual payment requirements: *SB 4571, CH 75 (1982)
- Tax payment, property acquired outside state, civil action, payment proof filing requirement: SB 4961
- Tenancy abandonment, property disposal provisions, modified: SB 4557
- Unclaimed property, disposition, time period reduced: *Sub HB 766, CH 1 E2 (1981)
- Unclaimed property, uniform act, enacted: Sub HB 1128, SB 4391

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

PROPERTY – REAL (See also TAXES – PROPERTY; SUBDIVISIONS)

- Accreted land, Toutle, Cowlitz rivers, adjacent landowners, leases authorized, conditions prescribed, ownership claims prohibited: Sub SB 3824
- Accreted land, Toutle, Cowlitz rivers, deposits, DNR impact study, report requirements: Sub SB 3824
- Aircraft, recreational flying, outdoor recreation, property owners, damage, liability immunity, as defined: SB 4654
- Construction, new, assessment rolls listing: *Sub SB 3783, CH 46 E1 (1982)
- Current use valuation, lands with water dependent uses, authorized: SJR 144
- Current use valuation, lands with water dependent uses, designated wetland, shoreland areas, constitutional contingency: SB 4762
- Destroyed, owner, replacement cost, use loss value, damages recovery permitted: SB 4986
- Diminished value, private property resulting from altered drainage, local governments, building permit issuers, liability specified: SB 4916
- Docks, upland owners, recreational use, state lands, additional rent or fees prohibited: *Sub SB 4824, CH 21 E1 (1982)
- ESD's abolished, duties transferred, SPI, property, library, transportation provisions: SB 4731
- Fire protection districts, contiguous property subject to leasehold excise tax, annexation authorized: Sub SB 3512
- Fire protection districts, leasehold excise tax distribution: SB 3512
- Fort Lawton/Discovery Park, decision-making, final disposition, historic preservation exemption: 2nd Sub SB 3027
- Governmental regulation, challenges, litigation expenses, as specified: SB 4989
- Highway lands, state, residential construction encouraged, zoning variances needed: SB 4568
- Historic, assessment, classification application, disqualification, tax purposes: Sub SB 3025, 2nd Sub SB 3025
- Historic, destruction restrictions: Sub SB 3027, 2nd Sub SB 3027
- Homestead, forced sales authorized, debts incurred fraudently: SB 4867
- Inspections, administrative, warrants, issuance, execution, uniform procedures established: SB 4494, Sub SB 4494
- Interests, relief from governmental acts: SB 4766, *Sub HB 1006, CH 232 (1982)
- Irrigation districts, adverse possession, applicability, certain, deleted: Sub HB 932
- Irrigation districts, energy conservation, residential structures: *HB 832, CH 42 (1982)
- Irrigation districts, recovery, statutory limitations exemption: Sub HB 932
- Irrigation districts, withdrawal, certain owners: SB 4136, Sub SB 4136
- Irrigation districts, works construction projects, federal, state contracts, proportional property repayment liability: HB 198
- Judgments, enforcement, homestead, redefined: SB 3459, Sub SB 3459
- Lake Osoyoos international water control structure, acquisition, operation authorized, ecology department appropriation: SB 4846
- Lake Osoyoos international water control structure, acquisition, operation authorized, ecology department existing appropriation provision: *Sub SB 4846, CH 76 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

PROPERTY – REAL—cont.

- Leases, negotiated, state lands, commercial, industrial, residential purposes, permitted, notice requirement: Sub SB 4668
- LID's, delinquent assessment foreclosure, summons requirement, alternative method repealed: *Sub HB 823, CH 91 (1982)
- LID's, special benefit assessments, residence located within utility LID primarily for industrial purposes, exemption, user fee provision: SB 4462
- Limited casualty program, eligibility, assets transfer: *2nd Sub HB 557, CH 3 E2 (1981)
- Local government, self-insurers, loss, damage, losses resulting from loss, insurance coverage permitted: SB 4765
- Local improvement assessment deeds, issuance, property owner, occupant notice requirement: SB 4394
- Milwaukee railroad right-of-way, acquisition, unexpended funds, use, dredge spoil sites, Cowlitz, Coweeman, Toutle rivers, purchase authority, sec 110: *Sub HB 811, CH 14 E2 (1981)
- Milwaukee railroad right-of-way: Sub HB 804, SB 4719
- Mineral rights, unused: SB 4922
- Mobile home sites, condominium law applicability: SB 4939, SB 4941
- Mortgages, satisfaction, damages, attorneys' fees allowed: SB 4517
- Odors, agricultural, clean air act exemption, conditions specified, violations, appeal process, exemption exclusion, land sales, residential purposes: Sub SB 4044
- Port districts, land sold, five-year short plat restriction exemption: SB 4746
- Reforestation lands, declassified: SB 4487
- Revaluation, physical inspection schedule, conditions prescribed: SB 3783, *Sub SB 3783, CH 46 E1 (1982)
- Sales, state lands, natural resources board, designated agency: Sub SB 4164
- School districts, surplus property, disposition requirements prescribed, private school rights provision: SB 3753, Sub SB 3753
- Shoreline management, substantial development, permits, granting revised: SB 4618
- Time-sharing, regulated, conditions specified, penalties prescribed: SB 3775
- Time-sharing, regulated, conditions specified, penalties prescribed, licensing department appropriation: Sub SB 3775, 2nd Sub SB 3775
- Transition trust lands revolving fund act, DNR appropriation: Sub SB 4664
- Valuation, appropriate statistical data, revenue department rules adoption: *Sub SB 3783, CH 46 E1 (1982)

PROPHYLACTICS

- Sales, deregulated: SB 3121

PROPORTIONAL REGISTRATION

- Procedures established, when state becomes member of international registration plan: Sub SB 3993

PROSTITUTION

- Prostitute under 18, customer 18 or over, class C felony: Sub HB 293

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

PUBLIC ASSISTANCE

- Abortion, induced premature birth, medical care services prohibited, exemptions specified: 2nd Sub HB 756
- AFDC, eligibility, income limits, strike prohibition: *2nd Sub HB 756, CH 10 E2 (1981)
- AFDC recipients, able, as defined, community work experience projects, participation required: SB 4699
- Children, unemployment compensation, child support obligations, disclosure, new claimants, required, deduction as specified, required: HB 1033, SB 4661, *Sub SB 4216, CH 18 E1 (1982), *Sub SB 4418, CH 201 (1982)
- Chiropractic services, exclusion removed: *Sub SB 4285, CH 19 E1 (1982)
- Community work experience projects, establishment provisions, AFDC recipients, participation required: SB 4699
- Deinstitutionalization subsidy program, parents of institutionalized persons, created, conditions specified, DSHS secretary duties: SB 4847
- Developmentally disabled persons, statute, definition as in public law 91-517, repealed: SB 4651, *HB 851, CH 224 (1982)
- Emergency assistance program, limited time, chore services, disabled persons, otherwise eligible family emergency assistance: Sub SB 3538
- Employment, training services delineated: SB 4962
- Energy allowance: *HB 980, CH 127 (1982), SB 4658
- Financial responsibility requirements: Sub HB 759, *Sub SB 4418, CH 201 (1982)
- Food stamps, allotments, housing subsidies, consideration as income permitted, AFDC program: *2nd Sub HB 756, Ch 10 E2 (1981)
- Income maintenance caseload levels, specified savings provision, sec 43 (6) (vetoed): Sub SB 4369
- Limited casualty program, deductible requirement revised: *Sub SB 4285, CH 19 E1 (1982)
- Limited casualty program, disqualification, DSHS, burden of proof establishment: *2nd Sub HB 557, CH 3 E2 (1981)
- Limited casualty program, disqualification rebuttal, procedures establishment directed: 2nd Sub HB 557
- Limited casualty program, due process procedures, DSHS, adoption directed: *2nd Sub HB 557, CH 3 E2 (1981)
- Limited casualty program, eligibility, assets transfer provisions, prohibitions, penalties prescribed: *2nd Sub HB 557, CH 3 E2 (1981)
- Limited casualty program, ineligibility periods, as specified, graduated schedule established: *2nd Sub HB 557, CH 3 E2 (1981)
- Medical assistance, certain pregnant women: 2nd Sub HB 756
- Medical assistance, costs recovery, as specified, requirement deleted: 2nd Sub HB 557, *2nd Sub HB 756, CH 10 E2 (1981)
- Medical assistance, disqualification, DSHS, burden of proof establishment: *2nd Sub HB 557, CH 3 E2 (1981)
- Medical assistance, due process procedures, DSHS, adoption directed: *2nd Sub HB 557, CH 3 E2 (1981)
- Medical assistance, eligibility, pregnant women, persons eligible, not receiving cash payments, inclusion: *2nd Sub HB 557, CH 3 E2 (1981)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

PUBLIC ASSISTANCE—cont.

- Medical assistance, eligibility redefined, provided, limited to funds available: Sub SB 3538
- Medical assistance, federal, state conflicts resolution: *2nd Sub HB 557, CH 3 E2 (1981)
- Medical assistance, ineligibility periods, as specified, graduated schedule established: *2nd Sub HB 557, CH 3 E2 (1981)
- Medical assistance, ineligibility, rebuttal procedures establishment directed: 2nd Sub HB 557
- Medically indigent, deductible lowered, DSHS appropriation: *Sub SB 4369, CH 50 E1 (1982)
- Nursing homes, patients, publicly supported, voluntary contributions, care costs offset, program development intent: Sub HB 1158
- Programs, certain, savings, transfer provisions: *Sub SB 4369, CH 50 E1 (1982)
- Ratable reductions, maximums, establishment consistent with federal law, permitted: *2nd Sub HB 756, CH 10 E2 (1981)
- Reporting requirements, applicants, compliance: *2nd Sub HB 756, CH 10 E2 (1981)
- Resources, retention list revised, definition consistent with federal requirements: *2nd Sub HB 756, CH 10 E2 (1981)
- Social and health services financial responsibility act, enacted, recipients, responsible persons, conditions: Sub HB 759
- Standards of need, biennially, establishment, required: *2nd Sub HB 756, CH 10 E2 (1981)
- Students, certain, schooling or training completion, authorized, aid considered repayable debt: *2nd Sub HB 756, CH 10 E2 (1981)
- Unemployed, employable persons, general assistance eligibility, terminated, public assistance eligibility, cash assistance programs, limits: Sub SB 3539

PUBLIC DEPOSITARIES

- Investments, public funds, revised, losses, reports, S and L supervisor duty, FSLIC info, deferred compensation, etc: SB 4825
- Municipal corporations, credit lines, establishment authorized, public depositaries, conditions prescribed: SB 4329
- State treasurer, certificates of deposit, allocation alteration authorized: *SB 4506, CH 74 (1982)

PUBLIC DISCLOSURE AND PUBLIC DISCLOSURE COMMISSION

- Campaign funds, transfers, candidate, committees, etc, PDC report, separate page required: HB 1119
- Candidates, filing requirements revised: *Sub SB 3249, CH 147 (1982)
- Candidates, financial reports, public inspection, availability limited: Sub SB 4142
- Candidates, indigent, filing: SB 4472, Sub SB 4472
- Candidates, surplus funds, transference, dollar amount limit removed: Sub SB 4142
- Cemetery districts, commissioners, exemption: SB 3562
- Cemetery districts, electors, commissioners, requirements exemption: *Sub HB 40, CH 60 (1982)
- Cohen, Berta, member: GA 408, confirmed (1981), 1014,1198

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

PUBLIC DISCLOSURE AND PUBLIC DISCLOSURE

COMMISSION—cont.

- Contributions, amount without individual identification increased: *Sub SB 3249, CH 147 (1982)
- Employment, public, applicants' names, applications, resumes, etc, inspection exemption: SB 4734
- Employment, public, applicants, personal information, public inspection exemption: Sub SB 4734
- Fair campaign code: SB 4869
- Grass roots lobbying campaigns, periodic reports, registration statements, additional information requirements: SB 4422
- Improper governmental actions, disclosure, reprisal prohibited, employee responsibilities, state auditor duties: *Sub HB 593, CH 208 (1982)
- Joint operating agencies, inclusion: SB 4560
- Joint operating agencies, policy groups, public utilities membership representation, inclusion: Sub SB 4560
- Jurisdictions, as specified, reporting requirements suspended, exclusion provision, exempted persons reporting rights: *Sub HB 40, CH 60 (1982)
- Legislators, honorariums, reporting required, as specified: Sub HB 1122
- Library records, exemption: *Sub HB 476, CH 64 (1982), SB 4683, Sub SB 4683
- Lobbyists' booklet, biennial publication required, private or public entity publication selection allowed, lobbyists' revolving fund appropriation: Sub SB 4142
- Lobbyists, registration statement, financial statement revisions: *Sub SB 3249, CH 147 (1982)
- Lobbyists' reporting, certain exclusion: Sub SB 4142
- Local government, small, as defined, exemption: Sub HB 40
- McGough, Hugh R, member: *GA 511 (1982)
- Political action committees, as specified, bona fide charitable, nonprofit organization, gambling purposes, allowed: Sub SB 4759
- Political advertising, violations, admitted, promises no further violation, revision, prosecutor, failure to act, injunction proceedings: HB 472
- Political committees, continuing, contributions reporting: *Sub SB 3249, CH 147 (1982)
- Registration, reporting exemptions, certain, criteria revised: Sub SB 4142
- Reports, audits, investigations, provisions extended: Sub SB 4422
- Reports, jurisdictions, small, certain, suspension, cost-savings measure, rules adoption, suspension override provisions: SB 4554
- Reports, time frame: *Sub SB 3249, CH 147 (1982)
- State treasurer and candidates, property ownership, certain, income tax returns, certain, current net worth statement, required: SB 3530
- Toll-free telephone hotline program, appropriation: Sub SB 3249
- Violations, uniform penalties application required: SB 4473
- Weza, I A Tony, member: GA 581 1003

PUBLIC EMPLOYEES' RETIREMENT BOARD

- Champeaux, Gloria M, member: GA 512, confirmed 14,476,870
- Jensen, Shirley B, member: GA 513, confirmed 14,476,871

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

PUBLIC EMPLOYEES RETIREMENT SYSTEM (See also RETIREMENT AND PENSIONS, DEPARTMENT OF RETIREMENT SYSTEMS)

- Allowances, deductions, payment group insurance premiums, permitted, OFM policy approval: Sub HB 733
- Average final compensation defined: HB 986
- Deductions, group insurance or plan, authorized: *SB 4468, CH 135 (1982)
- Early retirement, conditions specified, expiration date provision, OFM study requirements: 2nd Sub HB 124
- Early retirement, conditions specified, expiration date provision: SB 4495
- Early retirement, special, allowed, conditions prescribed: SB 4424
- Lump sum payments authorized, conditions: *SB 4638, CH 144 (1982)
- Membership transfer, prior teaching service credit establishment, fractional credit calculation formula: SB 3290
- Military service credit, creditable service, contributions restoration provisions: Sub SB 3290
- Retirement contributions, as specified, OFM duties, appropriation: SB 4424
- Service requirements, school classified employees, customary vacation periods, holiday recesses, authorized: SB 4920
- Withdrawn contributions, restoration period established, public officials exclusion: Sub SB 3290

PUBLIC EMPLOYEES (See also EMPLOYEES; COLLECTIVE BARGAINING; PUBLIC EMPLOYEES RETIREMENT SYSTEM; RETIREMENT AND PENSIONS; DEPARTMENT OF RETIREMENT SYSTEMS)

- Chaplains, state-employed, salaries, rental value, housing/rental designation provisions: SB 4757, *HB 1072, CH 190 (1982)
- Civil service, exempt positions, number increased: SB 4563
- Collective bargaining, cities, towns, inclusion: SB 4987
- Community colleges, financial emergencies, board determination, RIF procedures prescribed, rights, hearing provision: Sub HB 782
- Community colleges, financial emergencies, community college education board determination, RIF procedures prescribed, rights, hearing provision: *Sub HB 782, CH 13 E2 (1981)
- Deferred compensation plans, risk, state, committee members, limited: SB 4581
- Education employees, salary deductions, political purposes, permitted, voluntary assignment proof requirement: Sub SB 4440
- Education employees, salary deductions, political purposes, prohibited: SB 4440
- Education employees, salary increases, fringe benefit increases, time frame revised, sec 76: *Sub HB 811, CH 14 E2 (1981)
- Employment, applicants' names, applications, resumes, public inspection exemption: SB 4734
- Employment, applicants, personal information, public inspection exemption: Sub SB 4734
- Employment, former state employees, firms agency had business with, restrictions specified: SB 4702
- Fact-finding procedures, educational employment relations act, established: SB 3405

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

PUBLIC EMPLOYEES—cont.

- FTE equivalents, hiring practices, conditions specified: 2nd Sub HB 124
- Health departments, combined city and county, personnel system separate from city or county personnel or civil service systems permitted: *SB 4354, CH 203 (1982)
- Higher education personnel board, basic procedures, rules modified: Sub HB 763
- Improper governmental actions, disclosure, reprisal prohibited, employee responsibilities, state auditor duties: *Sub HB 593, CH 208 (1982)
- Incentive pay, state employees, productivity board created, employee suggestion program administration: Sub HB 837
- Incentive pay, state employees, productivity board created, employee suggestion program administration, personnel department appropriation: *Sub HB 837, CH 167 (1982)
- Insurance board, multiple carriers, contracts allowed, insurance surveys frequency changed: *HB 736, CH 34 E1 (1982)
- IRA's, payroll deductions authorized: SB 4697, *Sub SB 4697, CH 107 (1982)
- IRA's, state employees, deferred compensation committee, plans, offering authorized: *Sub SB 4697, CH 107 (1982)
- Job consideration, state agencies, number of names, referral, increased: *Sub HB 1226, CH 53 E1 (1982)
- Labor relations, general revisions, public employment labor relations service fund, created: SB 4954
- Layoffs, seniority, performance basis, reemployment, seniority basis, rules adoption ensuring required: *Sub HB 1226, CH 53 E1 (1982)
- Leave-without-pay program, governor authority, certain agencies, management priority: Sub HB 1226
- Legislative ethics, jurisdiction, former legislators, employees, inclusion, statute of limitations: SB 3921
- Parking, state employees, official business, away from designated post, contracting authorized, reimbursement prohibition provision: SB 4447
- Performance evaluation standards, development required, appeal limitation: *Sub HB 1226, CH 53 E1 (1982)
- Personnel activities, administrative, technical, delegation authorization, personnel director standards, guidelines prescription required: Sub HB 763, *Sub HB 1226, CH 53 E1 (1982)
- Personnel board, basic procedures, rules modified: Sub HB 763
- Political activities, full participation permitted: SB 3526
- Political contributions, certificated personnel, payroll deductions prohibited: SB 4698
- Political contributions, payroll deductions prohibited: SB 4698
- Probation period, flexibility permitted: *Sub HB 1226, CH 53 E1 (1982)
- Reduced worktime program act: SB 4849
- Reduction-in-force, higher education, formula requirements, nonappealable beyond agency: Sub HB 763, Sub HB 1226
- Reduction-in-force, ratio requirement, OFM director exception authority, agency report requirements: Sub HB 763
- Reduction-in-force, state agencies, formula requirements, nonappealable beyond agency: Sub HB 1226

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

PUBLIC EMPLOYEES—cont.

- Reemployment formula, development required, performance, seniority provisions, nonappealable beyond agency: Sub HB 763
- Reversion rights, classified employees in exempt positions, four year limitation: Sub HB 763, *Sub HB 1226, CH 53 E1 (1982)
- Salaries, education employees increases, upper limit established, sec 76 (vetoed): Sub HB 811
- Salaries, higher education, state, comparable worth adjustment required, as specified: SB 4769
- Salaries, higher than governor's, prohibited: SB 4615
- Salaries, state employees, increases, appropriation decrease, salary, incremental fringe benefit increase allocation deleted, 5% decrease, April, 1982, required: SB 4611
- Salaries, state employees, increases, time frame revised, sec 15: *Sub HB 811, CH 14 E2 (1981)
- Salaries, state employees, increases, upper limit established, sec 15 (vetoed): Sub HB 811
- School districts, payment limitations specified, contract termination, reasonable compensation authorized: *2nd Sub HB 987, CH 10 E1 (1982)
- School districts, retirement benefits, excessive, post-retirement billings required: *2nd Sub HB 987, CH 10 E1 (1982)
- School superintendents, retirement, prior out-of-state credit allowed, conditions prescribed: HB 600
- Sheriff's civil service commission, investigation demand, hearings, written opinions time-frame requirements: *SB 4680, CH 133 (1982)
- Vacation leave, public employees, unused, accrued, termination of employment, payment prohibited, LEOFF exemption, accumulated use provision: *Sub SB 5007, CH 51 E1 (1982)
- Vocational education, professional staff, support personnel, SPI, community college education board, transferred, vocational education commission: SB 4738, Sub SB 4738
- Work performance, step increase, review requirement, nonappealable beyond agency: Sub HB 763

PUBLIC EMPLOYMENT RELATIONS COMMISSION

- Labor relations, general revisions, public employment labor relations service fund, created: SB 4954
- Unfair labor practices, complaints, filing period limitation: SB 4730

PUBLIC OFFICIALS

- Campaign materials, mailed at public expense, restrictions, penalties prescribed: HB 829, SB 4789, Sub SB 4789
- Campaign materials, mailed at public expense, restrictions, penalties prescribed, official voter information guides exemption (vetoed): HB 829
- Candidates, municipal office, declaration of candidacy filing, city, town clerk, delivery to county auditor requirement: HB 439
- Contracts, competitive bid requirements violations, penalties modified: SB 4758
- Contracts, municipalities, municipal officers, permissible limits increased: SB 4570
- Elective offices, incompatible, simultaneous candidacy, not allowed: SB 4624

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

PUBLIC OFFICIALS—cont.

- Executive, retirement allowance computation revised: SB 4820, SB 4949
- Legislators, certain, retirement allowance computation established: SB 4527
- Legislators, felony conviction, salary termination: SB 3864
- Legislators, retirement allowance computation revised: SB 4820, SB 4949
- Public disclosure reports, suspension, cost-savings measure, certain small jurisdictions, provisions: SB 4554
- Salaries, higher than governor's, prohibited: SB 4615
- Threats, as specified, governor, immediate family, governor-elect, lieutenant governor, successors, class C felony, WSP investigation: *HB 745, CH 185 (1982)
- Utilities and transportation commission, members, nonpartisan state-wide elected officials provision, election requirements specified: SB 4591

PUBLIC PLACES

- Smoking, regulated: SB 4863

PUBLIC SERVICE COMPANIES (See also UTILITIES AND TRANSPORTATION COMMISSION; UTILITIES; PRIVATE UTILITIES; PUBLIC UTILITIES AND PUBLIC UTILITY DISTRICTS)

- Fees, licenses, certain, prohibitions specified, temporary continuation provision: *SB 4972, CH 49 E1 (1982)

PUBLIC TRANSPORTATION (See also RIDE-SHARING; TRANSPORTATION, DEPARTMENT OF)

- Benefit areas, exclusions, citizen members retention, compensation, structure review requirement: 2nd Sub HB 424
- Benefit areas, short-term obligations, issuance authorized, existing bonds, interest provision: SB 4728, *Sub SB 4728, CH 216 (1982)
- Bonds, motor vehicle excise tax pledge prohibition removed: SB 4878
- Motor vehicle excise tax, distribution, support purposes, repealed: SB 4656
- Motor vehicle excise tax, local, authorized rate increased, public transportation support: SB 4868
- Private schools, students, use permitted, conditions prescribed: SB 3750
- School districts, pupil transportation vehicles, bonds, issuance authorized, conditions specified, school boards, county treasurers duties: Sub HB 869
- Student transportation, five-year contracts authorized: SB 4650
- Transit drivers, operators, assaults on, penalty prescribed: *SB 4483, CH 140 (1982)
- Vehicles, ride-sharing, elderly, handicapped persons, MVET exemption: *Sub SB 4545, CH 142 (1982)
- Vehicles, transit services, elderly, handicapped persons, nonprofit corporations, MVFT exempt, refund provision: SB 4760

PUBLIC UTILITIES AND PUBLIC UTILITY DISTRICTS (See also JOINT OPERATING AGENCIES; NUCLEAR ENERGY; WASHINGTON PUBLIC POWER SUPPLY SYSTEM)

- Cities, towns, projects, expected revenues, borrowing on allowed: *HB 554, CH 24 (1982)

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) . . . Passed during 1981 Second Special Session.
- E1 (1982) . . . Passed during 1982 First Special Session.
- E2 (1982) . . . Passed during 1982 Second Special Session.

PUBLIC UTILITIES AND PUBLIC UTILITY DISTRICTS—cont.

- Development charges, prohibition exclusion: Sub HB 312, *SB 4972, CH 49 E1 (1982)
- Drainage systems, flood control facilities, authority: SB 3581
- Electric rate structures, inverted, adoption recommended: SCR 141
- Electric rate structures, inverted, required, UTC responsibilities, certain locally regulated utilities exempt: SB 4616
- Electric rate structures, inverted, required, UTC responsibilities: SB 4616
- Heating systems, establishment authorized, conditions specified: Sub SB 3033
- Short-term obligations, issuance authorized, existing bonds, interest provision: SB 4728, *Sub SB 4728, CH 216 (1982)
- Water supply, governmental, private entities, adequate stream, river flow maintenance, property tax levy, voter proposition, authority: SB 3581

PUBLIC WORKS

- Contractors, prequalification, agency directors, procedures establishment directed: *Sub SB 4200, CH 98 (1982)
- Contracts, architectural, engineering consulting services, notices, procedures, personal service contracts exemption: SB 4200
- Contracts, counties, bids, telephone, written quotation provisions, bid inspection requirement, exemptions specified: Sub HB 957
- Contracts, municipality definition revised: SB 4200
- Contracts, over \$20,000, completion, revenue department notification required: *Sub HB 931, CH 170 (1982)
- Contracts, repeals, replaces current statutes, bids, notices, pollution control, natural resources compliance, intentional violations: SB 4200
- Contracts, reserved funds, requirements revised, bond in lieu permitted, release provision, work delayed, as specified, repealed: *Sub HB 931, CH 170 (1982)
- Contracts, up to \$25,000, 50% retention, final acceptance provisions: *Sub SB 4200, CH 98 (1982)
- Contracts, works under \$25,000, bid exemption, conditions specified: *Sub SB 4200, CH 98 (1982), SB 4555
- Day labor, county road construction budgets, revisions: SB 4712
- Domestic wood products, purchase required, OFM rules adoption, exemptions: SB 4823
- Electrical distribution and generating systems: SB 4714
- Port districts, construction projects over \$30,000, contracting out determination, if cheaper, authorized: Sub HB 956
- Port districts, small works projects, maximum cost increased, proposals, five separate, appropriate contractors, submission invitation required: *Sub SB 3361, CH 92 (1982)
- Port districts, small works projects, maximum cost increased: SB 3361
- Public assistance, employment, training services, DSHS, delineated: SB 4962
- Small works roster, establishment authorized, works under \$25,000, bid exemption, award requirements: SB 4555
- Small works rosters, general administration, fisheries, game departments, parks and recreation commission, authorized, bid provision: *Sub SB 4200, CH 98 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

PUBLIC WORKS—cont.

- Unit breakdown, bid avoidance purposes, prohibited: *Sub SB 4200, CH 98 (1982)
- Wages, prevailing, job sites, no field office, posting requirements specified: SB 4501, *Sub SB 4501, CH 130 (1982)
- Work permits, L&I rules establishment directed, law administration, user fees established: HB 795

PUBLICATIONS

- Assessments, increased, notice publication, state register, newspapers: HB 947, SB 4439, Sub SB 4439
- Common school code, SPI publication implementation, sales proceeds distribution: SB 3241
- Coupons, manufacturers, certain, trading stamp license exemptions: SB 4742
- Journals, house, senate, distribution, statute law committee requirements: HB 1080
- Lobbyists' booklet, biennial publication required, private or public entity publication selection allowed, lobbyists' revolving fund appropriation: Sub SB 4142
- Planning agencies, local, hearings, notice requirements revised: Sub HB 1007, SB 4776, Sub SB 4776
- Pornography, moral nuisances, defined, enforcement authority: *Sub HB 626, CH 184 (1982)
- Recreation guide, comparison other state agency publications, OFM, directed, legislative report: SB 3915
- Recreation guide, IACOR expenditure authorized, appropriation, proceeds reimbursement requirement: SB 3915
- Recreation guide revolving fund, created, proceeds, interagency committee for outdoor recreation, recreation guide sales, revenue, deposit, disbursement, committee authorization appropriation: SB 3915
- Session laws, distribution, statute law committee requirements: HB 1080
- Statutes, rules, state, legislative committees, free copies allowed, session laws, house, senate journals distribution requirements: *SB 4717, CH 32 E1 (1982)
- X-rated materials, sales tax, 20% of retail sales price, imposed: SB 4598

PUGET SOUND

- Crab fishing, commercial licenses, issuance requirements, leased, rented vessels provisions: *SB 4464, CH 157 (1982)
- Crab fishing, license regulations revised: HB 842, SB 4464
- Ferry system, funding assistance repealed: SB 4657
- Wastewater outfall, operation, south of Duwamish Head, DOE funds expenditure prohibited, sec 65 (vetoed): Sub HB 811
- Wastewater treatment outfall, establishment between Alki Point/Dash Point prohibited, conditions prescribed: SB 4482

PULLEN, SENATOR KENT

- Message, regarding interim study report, SR 146 448,449
- Remarks, regarding democracy 2641
- Statement for journal, explanation of vote on ESSB 4663 1227
- Statement for journal, protest of consideration of ESHB 1230 2393

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

PULLMAN

Waste water treatment plant, Pullman/WSU, improvements, appropriation: HB 1078, *Sub HB 1230, CH 48 E1 (1982)

PULL-TAB CANS

Containers, beverage, sales prohibited, violations, ecology department enforcement, rules adoption: *Sub HB 448, CH 113 (1982)

PULL-TABS AND PUNCH CARDS

Single chance limit increased, maximum tax increased: Sub HB 1102, SB 4759, Sub SB 4759

PURCHASING (See also GENERAL ADMINISTRATION, DEPARTMENT OF)

Counties, A, AA, departments establishment required, other counties permitted: Sub HB 957

Counties, bids, equipment purchases, minimum requirements increased: *SB 4690, CH 145 (1982)

Credit cards, state use authorized, general administration director rules adoption: *SB 4705, CH 45 E1 (1982)

Fire protection districts, bid requirements, minimum increased, fire station, other building improvements, certain bid requirement deleted: Sub HB 890, SB 4523, Sub SB 4523

Fire protection districts, sales tax exemption: SB 4520

Information processing, hardware, software, employment security department acquisition, data processing authority approval required: *SB 4919, CH 59 (1982)

Joint operating agencies, materials, equipment, supplies, work procurement, requirements revised: Sub HB 1053, *SB 4995, CH 44 E1 (1982)

Local government, contracts, awarding, local excise tax revenues consideration authorized: HB 1231

Milwaukee railroad, right-of-way, acquisition, unexpended funds, use, dredge spoil sites, Cowlitz, Coweeman, Toutle rivers, purchase authority, sec 110: *Sub HB 811, CH 14 E2 (1981)

Milwaukee railroad, right-of-way, lands, certain, acquired by state, adjacent land owners, acquisition authorized, policy adoption: SB 4719

Milwaukee railroad, right-of-way, structures, disposal, administrative costs reimbursement, appropriation deposit, originating fund: Sub HB 804

Paper, recycled, purchase preference, GA director rules adoption: *Sub HB 259, CH 61 (1982)

Public facilities, certain, under construction, materials purchase, sales, use taxes exemption: SB 4821

Public works, domestic wood products, required: SB 4823

Real estate, state, general administration department, director, authority defined, exempt agencies specified: *Sub HB 810, CH 41 (1982)

Surplus property, school districts, disposition requirements prescribed, private school rights provision: SB 3753, Sub SB 3753

QUIGG, SENATOR J. T.

Remarks, regarding SR 1982-172, proclaiming solidarity with people of Poland 586

* Measures passed by Senate and House. Also Senate Resolutions adopted.
GA Gubernatorial Appointment.
SR Senate Floor Resolutions.
E2 (1981) ... Passed during 1981 Second Special Session.
E1 (1982) ... Passed during 1982 First Special Session.
E2 (1982) ... Passed during 1982 Second Special Session.

RABBITS

Sales, no implied warranties provision: *SB 4436, CH 199 (1982)

RADIOACTIVE MATERIALS AND WASTES (See also NUCLEAR ENERGY; SOLID WASTE DISPOSAL)

High-level radioactive wastes, federal policies, modification petitioned: SJM 116

Low-level nuclear waste, in-state storage, volume reduction, radiation control agency, directed, as specified: SB 4590

Northwest interstate compact on low-level radioactive waste management, congressional approval petitioned: SJM 124, Sub SJM 124

Nuclear waste compact, approval petitioned: SJM 124, Sub SJM 124

Radioactive waste, joint select committee, established, members, duties, report: SCR 140

Uranium, thorium, milling defined: *SB 3425, CH 78 (1982)

RADKE, HELEN

Member, state board for community college education, GA 474, confirmed (1981), 417,863

RAHM, KAREN

Member, corrections standards board, GA 494, confirmed 9,531,866

RAILROADS

Crossings, protective devices, funding provisions: *Sub SB 3927, CH 94 (1982)

Milwaukee railroad, right-of-way, acquisition, unexpended funds, use, dredge spoil sites, Cowlitz, Coweeman, Toutle rivers, purchase authority, sec 110: *Sub HB 811, CH 14 E2 (1981)

Milwaukee railroad, right-of-way, lands, certain, acquired by state, adjacent land owners, acquisition authorized, policy adoption: SB 4719

Milwaukee railroad, right-of-way, structures, disposal, administrative costs reimbursement, appropriation deposit, originating fund: Sub HB 804

Port districts, operation, inside, outside district, permitted conditions prescribed: Sub SB 3961

Trespassers, injury, death, employee liability immunity: *SB 4512, CH 141 (1982)

Trespassers, injury, death, owners, employees, inclusion: HB 114

RAMSEY, NORMAN E.

Member, hospital commission, GA 499, confirmed 11,475,867

RANDOLPH, HONORABLE RICHARD

Representative, Alaska legislature, introduced 745

RAPE

Abortion, induced premature birth, medical care services prohibited, exemptions specified: 2nd Sub HB 756

Convicted persons, sentencing restrictions: *Sub HB 874, CH 192 (1982)

Crisis centers, records, defense attorney availability, conditions prescribed: Sub SB 3958

Habitual criminal status, redefined: HB 569

Sexual assault victims, counselors, communications, crime prosecution, not admissible, conditions prescribed: SB 3958

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

RASMUSSEN, SENATOR A. L. "SLIM"

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RATES (See also INTEREST AND USURY; ELECTRICITY AND ELECTRICAL POWER)

Electric rate structures, inverted, adoption recommended: SCR 141	
Electric rate structures, inverted, required, UTC responsibilities, certain locally regulated utilities exempt: SB 4616	
Electric rate structures, inverted, required, UTC responsibilities: SB 4616	
Insurance examining bureaus, licensed, organization, operation permitted: HB 230	
Insurance rates regulated, supersedes current law: HB 230	
Insurance rating bureaus, license requirements, responsibilities prescribed: HB 230	
Joint operating agencies, obligations, rate impacts, hearings, notice, requirements: SB 3502, Sub SB 3502	

RATHFELDER, DR. R.R.

Member, higher education personnel board, GA 496, confirmed 10,531,866

RAZOR CLAMS (See also FOOD FISH AND SHELLFISH)

Harvest benefit programs, fisheries department appropriation: *HB 894, CH 178 (1982)

REAL ESTATE (See also SUBDIVISIONS; TAXES - REAL ESTATE EXCISE)

Appraisers, nursing home accounting, harbor area leases, accreditation requirements specified: *HB 728, CH 117 (1982)	
Condominiums, time-sharing regulated, conditions prescribed: SB 3775	
Contracts, plain language consumer contracts act, enacted: SB 4853	
Facilities, state, GA director authority defined, exempt agencies specified: *Sub HB 810, CH 41 (1982)	
Plain language consumer contracts act: SB 4853	
Sales, proceeds, not certified by ESD superintendent, state treasury remission provision: *HB 964, CH 176 (1982)	
State agencies, as specified, acquisition, exempt from GA director authority: *Sub HB 810, CH 41 (1982)	
Time-sharing, regulated, conditions specified, penalties prescribed: SB 3775	
Time-sharing, regulated, conditions specified, penalties prescribed, licensing department appropriation: Sub SB 3775, 2nd Sub SB 3775	

RECALL ELECTIONS

Legislators, fund raising activities, during legislative sessions, limitations specified, recall exemption: Sub HB 1125	
Petition requirements revised: SB 4589	
Supreme court, duties clarified: SB 4587	

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

RECIPROCITY

- Commission, abolished, functions transferred, licensing department: *Sub HB 778, CH 227 (1982)
- Higher education institutions, tuition, fees, British Columbia: SB 4694
- Proportional registration, procedures established, when state becomes member of international registration plan: Sub SB 3993

RECORDS AND DOCUMENTS (See also PRIVACY)

- Census, state, constitutional requirement removed, obsolete terms updated: SJR 141
- Codes, filing, local government, one copy requirement, additional copies, library, city offices, if considered necessary by legislative authority: *Sub HB 58, CH 226 (1982)
- Conviction, state patrol release provisions, fee, rules adoption requirements, liability exemption: *Sub SB 4775, CH 202 (1982)
- Driving record abstracts, fees increased: HB 1023
- Forms reduction act: *SB 4559, CH 214 (1982)
- Health maintenance organizations, financial procedures, funded reserves, surety bond requirements revised: *SB 4701, CH 151 (1982)
- Insurance policies, forms, insurance commissioner filing requirements revised: *Sub HB 902, CH 181 (1982)
- Juveniles, destruction, routine, as specified, permitted: SB 4733
- Library, public disclosure exemption: SB 4683, Sub SB 4683, *Sub HB 476, CH 64 (1982)
- Motor vehicles, owners' lists, licensing department availability: *SB 4544, CH 215 (1982)
- Public, preservation, destruction, provisions modified: *HB 357, CH 36 (1982)
- Rape crisis centers, records, defense attorney availability, conditions prescribed: Sub SB 3958
- Retirement systems, corrections authorized, adjustments, overpayment recovery, etc, as specified: *SB 4636 CH 13 (1982)
- School districts, certain, ESD inspection requirement removed: HB 188, SB 3242
- Secretary of state, filing procedures, fee schedules, administrative requirements revised, authenticating officers, appointment authorized: SB 4572, SB 4716, *Sub SB 4716, CH 35 (1982)
- Secure transactions, financing statement copy, treated as original: *HB 822, CH 186 (1982)
- Sexual assault victims, counselors, communications, crime prosecution, not admissible, conditions prescribed: SB 3958
- Surveys, public land, official plats, certified copies, county auditor recording, DNR appropriation: HB 641

RECREATION (See also PARKS AND RECREATION COMMISSION)

- Aircraft, recreational flying, outdoor recreation, property owners, damage, liability immunity, as defined: SB 4654
- Hiking trails, ORV moneys, construction, facilities, authorized, youth development corps, youth crews, contract consideration required: SB 3823
- Interagency committee for outdoor recreation, project prioritization plan, eligible marine recreation improvements, priority directed: SB 4903

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

RECREATION—cont.

- School community recreation districts, establishment conditions, taxing powers, bond issuance authority, voter approval requirement: SB 4912
- Winter recreation activities: HB 386, *SB 3737, CH 11 (1982)
- Winter recreation commission, established, members, duties, economic development purpose, termination date: *Sub SB 4841, CH 27 E1 (1982)

RECREATIONAL VEHICLES

- Manufactured home, commercial coach, recreational vehicle advisory board, created: SB 4902

RECYCLING AND RECYCLED MATERIALS

- Model litter control and recycling program, sunset termination date established (vetoed): Sub HB 875
- Oil, used, ecology department program, energy office cooperation, used oil information center, collection points, surveys, rules adoption: SB 4686
- Paper, recycled, purchase preference, GA director rules adoption: *Sub HB 259, CH 61 (1982)
- Solid wastes, ownership, vested in collector from collection point, original owner's rights removed: HB 735
- Solid wastes, ownership, vested in collector from collection point, original owner's rights removed, recyclable paper, metal, glass wastes not vested: HB 735

REDISTRICTING AND REAPPORTIONMENT

- Boards, commissions, state, members' terms, eligibility: *Sub HB 1165, CH 30 E1 (1982)
- Congressional boundaries established: *Sub HB 787 CH 2 (1982)
- Legislative district, 35th, boundaries clarified: *HB 775, CH 5 E2 (1981)
- Voting boundary commission act, enacted, redistricting, reapportionment standards, powers, duties: SB 4426, *Sub HB 787 CH 2 (1982)

REDISTRICTING COMMISSION (See also REDISTRICTING AND REAPPORTIONMENT)

- Establishment, members, direction, supreme court jurisdiction: Sub SJR 108, SJR 119
- Independent, establishment authorized, conditions, duties: SJR 136
- Reapportionment and redistricting act, enacted: SB 3263, Sub SB 3263
- Voting boundary commission act, redistricting, reapportionment standards, powers, duties: SB 4426, *Sub HB 787 CH 2 (1982)

REDUCTION-IN-FORCE (See also LABOR AND LABOR RELATIONS)

- Certificated employees, contract termination, reasonable compensation authorized: *2nd Sub HB 987, CH 10 E1 (1982)
- Community colleges, financial emergencies, board determination, RIF procedures prescribed, rights, hearing provision: Sub HB 782
- Community colleges, financial emergencies, community college education board determination, RIF procedures prescribed, rights, hearing provision: *Sub HB 782, CH 13 E2 (1981)
- Higher education, formula requirements, nonappealable beyond agency: Sub HB 763, Sub HB 1226

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

REDUCTION-IN-FORCE—cont.

- Ratio requirement, OFM director exception authority, agency report requirements: Sub HB 763
- State agencies, formula requirements, nonappealable beyond agency: Sub HB 1226

REED, AMOS E.

- Secretary, department of corrections, GA 486, confirmed 7,429,888

REFERENDUM 39

- Sewer lines, new, bond moneys, use authorized, high unemployment areas, industrial districts development priorities: SB 4877
- Sewer lines, new, bond moneys, use authorized: SB 4877
- State, local improvements accounts, appropriations increased: *Sub HB 1230, CH 48 E1 (1982)

REFUNDS

- Land, current use classification removal, additional property tax, interest rate specified, applicable periods defined, refund provision: Sub SB 4617
- Sales, use tax payments, worthless debts, retailers, payment not required, seller credit, refund provisions: *SB 4250, CH 35 E1 (1982)
- Tuition, fees, higher education institutions, implementation: Sub HB 115
- Vehicles, transit services, elderly, handicapped persons, nonprofit corporations, MVT exempt, refund provision: SB 4760

REGIONAL UNIVERSITIES (See also COLLEGES AND UNIVERSITIES; individual universities)

- Community college districts, abolished, facilities transferred, program continuation, faculty retained: SB 4457
- Tuition, fees, TESC, identical to regional universities: SB 4957
- Tuition, fee waivers, foreign students, authorized: Sub SB 3347

REICH, JAY A.

- Member, juvenile disposition standards commission, GA 551, confirmed 387,702,881

RELIGION (See also CHURCHES)

- Absentee ballots, use restrictions specified: SB 4845
- Chaplains, state-employed, salaries, rental value, housing/rental designation provisions: SB 4757, *HB 1072, CH 190 (1982)
- Children, public school attendance exemption, religious, personal beliefs: SB 4737
- Clergy, hospital trustee boards, as specified, membership allowed: HB 1173
- Education, state control, individuals, church education ministries, certain, exclusion: SB 4613
- Teaching certificates, special, graduates, certain nonaccredited institutions with religious affiliations, authorized: Sub SB 4238

RENT AND RENTALS (See also HARBOR AREAS; LEASES)

- Business inventory, leased personal property, not remanufactured, property held for lease, rental, definition exclusion: Sub SB 3402, *Sub HB 313, CH 174 (1982)
- Chaplains, state-employed, salaries, rental value, housing/rental designation provisions: SB 4757, *HB 1072, CH 190 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

RENT AND RENTALS—cont.

Port districts, moorage facilities, rentals, use, regulations adoption authorized, enforcement procedures establishment permitted: SB 4014, Sub SB 4014
Taxable; leasehold excise tax, definition inclusion, public owner obligations, as defined: SB 4389

REPAIRS

Automotive, regulations revised, customers' rights, licensing, revenue departments appropriations: *HB 375, CH 62 (1982)

REPORTS (See also ADMINISTRATIVE PROCEDURE ACT)

Accidents, motor vehicles, official business, fire fighters, WSP, law enforcement officers, employment driving record, report requirement: *SB 3233, CH 52 (1982)

Accreted land, Toutle, Cowlitz rivers, deposits, DNR impact study, report requirements: Sub SB 3824

Aquatic lands joint legislative committee, members, duties, report, termination: *Sub SB 4824, CH 21 E1 (1982)

Auditor, state, discussions with governing bodies, prior to final report issuance, open public meetings act exemption: SB 3073

Auditor, state, meetings with governing bodies to receive preliminary reports, open public meetings act exemption: SB 3073

B&O tax rates, local, municipal research council report requirement: *SB 4972, CH 49 E1 (1982)

Campaign funds, transfers, candidate, committees, etc, PDC report, separate page required: HB 1119

Cancer research, cigarette tax, increased, funds use, DSHS allocation authority, LBC program evaluation, report requirements: HB 885

Centennial commission, governor, legislature, annual required, appropriation: Sub SB 3031

Centennial commission, governor, legislature, annual required: Sub SB 3031

Centennial commission, plan development, state capitol area location, economic development department appropriation: HB 183

Charitable organizations, licensing requirements removed, financial reporting requirement revised: *Sub HB 778, CH 227 (1982)

Community redevelopment financing act, planning and community affairs report requirement: SB 4603, Sub SB 4603, *2nd Sub SB 4603, CH 42 E1 (1982)

Coroner qualifications, joint select committee established, members, duties, report: SCR 132

Court congestion task force, established, members, duties, reimbursement, report submission: *HB 864, CH 187 (1982)

Crime victims compensation, administrator for the courts, criminal penalty assessments, annual report required: *2nd Sub HB 828, CH 8 E1 (1982)

Criminal justice, advisory commission, governor's office, established, conditions specified: SB 4515

Dependent persons, adult, abuse, report procedures: Sub SB 3582

Earth-sheltered construction, joint select committee establishment, members, purposes, report: SCR 112

Educational policies, structure, management committee, temporary, created, members, duties, termination, appropriation: *SB 3609, CH 33 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

REPORTS—cont.

- Eye examinations, conditions requiring medical doctor referral, prescribed: SB 4500
- Fire districts, funding, services, local government committees, required: *SB 4972, CH 49 E1 (1982)
- Fire, failure to report, as specified, crime defined, penalty prescribed: SB 3292
- Fire, refusal to report, crime defined, penalty prescribed: SB 3292
- Forms reduction act, licensing, labor and industries, revenue departments requirements, noncomplying agency reports: *SB 4559, CH 214 (1982)
- Grass roots lobbying campaigns, periodic reports, registration statements, additional information requirements: SB 4422
- Hiring limitations, OFM study requirements, legislative report provision (vetoed): 2nd Sub HB 124
- Hiring policies, state agencies, higher education, declared, reports to OFM required (vetoed): 2nd Sub HB 124, Sub HB 1226
- Inmate labor, state facilities, maintenance work, corrections, GA departments, legislative report required: HB 768
- Institutions, riots, state, local agencies, contingency plan development, participation failure, corrections secretary report requirement: *Sub HB 965, CH 49 (1982)
- Insurance rates regulation, legislative report required: HB 230
- Juveniles, confinement, private-not-for-profit homes, conditions specified, institutional confinement as necessary, DSHS report requirement: Sub HB 870
- Law revision commission, created, members, terms, duties, annual legislative report: *HB 826, CH 183 (1982)
- Mandated health care, joint select committee established, members, duties, report requirements: SCR 137, *Sub SCR 137 (1982)
- Manufactured housing advisory task force, planning and community affairs agency, establishment directed, members, assistance, appropriation: Sub SB 3308
- Oil and gas joint committee formation, search, development, current laws study, report: *HCR 50 E1 (1982)
- Public disclosure commission, audit, investigation provisions extended: Sub SB 4422
- Public disclosure, requirements revised: *Sub SB 3249, CH 147 (1982)
- Public disclosure, suspension, cost-savings measure, certain small jurisdictions, provisions: SB 4554
- Public investment task force, established, members, duties, interim, final reports, termination, appropriation: SCR 147
- Radioactive waste, joint select committee, established, members, duties, report: SCR 140
- Recreation guide, comparison other state agency publications, OFM, directed, legislative report: SB 3915
- Reduced worktime program act, enacted, voluntary reductions, as specified, legislative report required: SB 4849
- Salmon management plan, fisheries department, preparation requirement, legislative reports: Sub SB 3557
- Slot machines, bona fide charitable, nonprofit fraternal organizations, use permitted, gambling commission report requirement: SB 4443

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

REPORTS—cont.

- Social and health services financial responsibility act, enacted, DSHS fee report requirement: Sub HB 759
- State building code, joint select committee, established, members, duties, report: SCR 139
- State lottery, revenues apportionment, termination date specified, LBC effectiveness evaluation, report requirements: 2nd Sub HB 1103
- St Helens recovery operations oversight committee, appointment, duties, report: SB 4510, *Sub SB 4510, CH 7 (1982)
- Student transportation, SPI legislative report required: *Sub SB 4675, CH 24 E1 (1982)
- Tangible personal property, annual city report required: *SB 4972, CH 49 E1 (1982)
- Telephone systems, joint select committee, establishment, duties, report: *HCR 33 (1982)
- Timber contract price indexing advisory committee, created, members, duties, report: *Sub SB 4663, CH 222 (1982)
- Tourism, program development, commerce and economic development department duties, report: SB 4696
- Unemployment compensation, joint committee, created, responsibilities, report, members, termination: SB 4596
- Uniform crime reports program, criminal justice training commission appropriation, future appropriations requirement: *Sub HB 1130, CH 125 (1982)
- Veterans' memorial parks, cemeteries, establishment, veterans affairs department, feasibility study directed, report requirement: HB 836
- WPPSS monitoring, special committee created, duties specified, report: SCR 145

RESEARCH

- Cancer, cigarette tax increased, funds use, DSHS allocation authority: HB 885, SB 4427
- Cancer, cigarette tax increased, funds use, DSHS allocation authority, LBC program evaluation, report requirements: HB 885
- Wine, grape program, industry research, instruction programs, WSU, tax imposition, disbursement, termination date established: Sub HB 893

RESERVATIONS

- Campsite reservation, information system, state parks, parks, recreation commission establishment, rules adoption, appropriation: SB 3612

RESIDENCE - LEGAL (See also NONRESIDENTS)

- Higher education institutions, miscellaneous changes prescribed, council for post-secondary education student financial aid supplementation appropriation: *2nd Sub HB 784, CH 37 E1 (1982)
- Hospitals, trustees, majority, residency outside largest city required: HB 1173
- Political candidates, residence defined, registration purposes: SB 4921
- Students, higher education, redefined: Sub SB 3347

RESIDENCES (See also TAXES - PROPERTY)

- Chaplains, state-employed, salaries, rental value, housing/rental designation provisions: SB 4757, *HB 1072, CH 190 (1982)
- Construction, new, assessment rolls listing: *Sub SB 3783, CH 46 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

RESIDENCES—cont.

- Earth-sheltered construction, joint select committee establishment, members, purposes, report: SCR 112
- Electric rate structures, inverted: SCR 141, SB 4616
- Energy conservation projects, residential structures, irrigation districts: SB 3059, *HB 832, CH 42 (1982)
- Energy efficient thermal, lighting standards, commercial, residential buildings, in effect: SB 3310, SB 4113
- Highway lands, state, residential construction encouraged, zoning variances needed: SB 4568
- Homestead, redefined, exemption, abandonment provisions, execution sales, notices, proceeds use requirements, affidavit filing: SB 3459
- Homestead, redefined, mobile home inclusion, exemption, abandonment provision, execution sales, notices, proceeds use requirements, affidavit filing: Sub SB 3459
- Leases, negotiated, state lands, residential purposes, permitted, notice requirement: Sub SB 4668
- LID's, special benefit assessments, residence located within utility LID primarily for industrial purposes, exemption, user fee provision: SB 4462
- Manufactured housing advisory task force, planning and community affairs agency, establishment directed, members, report, assistance, appropriation: Sub SB 3308
- Manufactured housing sites, adequate, cities, towns, policy declared: Sub SB 3308
- Mobile homes, sales, both spouses, participation required: SB 3100
- Mobile homes, sales, both spouses, participation required, title certificate signatures requirement: SB 3100
- Odors, agricultural, clean air act exemption, conditions specified, violations, appeal process, exemption exclusion, land sales, residential purposes: Sub SB 4044
- Pistols, concealed, license requirements, abode, business, vehicle provisions: SB 4470, *HB 600, CH 47 E1 (1982)
- Sewer line connections, existing dwellings, functioning on-site disposal systems, health board shall not require: SB 4906
- Urea-formaldehyde based foam insulation, installation, residential structures, prohibited: SB 3310

RESTAURANTS

- Culinary, restaurant courses, alcoholic beverage use prescribed: *Sub HB 1063, CH 85 (1982)
- Jukebox selections, payment, wagering permitted, as specified: HB 1123
- Liquor license, class H, authorized, private members only: *Sub HB 1063, CH 85 (1982)

RESTITUTION

- Court order authorization: *HB 600, CH 47 E1 (1982)
- Crime victims, criminals, required, conditions specified: SB 4600
- Juveniles, provisions: SB 4733
- Orders, expenses, lost wages resulting from nonphysical injuries, included: *Sub HB 874, CH 192 (1982)

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) . . . Passed during 1981 Second Special Session.
- E1 (1982) . . . Passed during 1982 First Special Session.
- E2 (1982) . . . Passed during 1982 Second Special Session.

RETAILERS (See also SALES)

- Alcoholic beverage businesses: SB 4546, Sub SB 4546, SB 4729, SB 4735, *Sub HB 1063, CH 85 (1982)
- Debts, bad, as defined, sales, use tax payments not required: HB 991
- Debts, worthless, sales, use tax payments not required, seller credit, refund provisions: *SB 4250, CH 35 E1 (1982)
- Gasoline price posting act: SB 4829
- Gasoline prices, gas tax, omission from selling price, permitted: *HB 854, CH 6 E1 (1982)
- Sales tax, collected moneys, illegal uses, false tax returns, felony provisions: SB 4604
- Sales, use taxes, collection procedures modified: SB 4496
- Toxic plants, retail sales, warning labels required, agriculture director rules adoption, violations, misdemeanor: SB 4601
- Wine importers, wholesalers, permitted financial interests defined: SB 4546
- Wineries, domestic, manufacture, retail, wholesale, export sales allowed: SB 4747
- Wineries, domestic, wholesale, retail class J licenses provision: Sub SB 4747, *Sub HB 1063, CH 85 (1982)
- X-rated materials, sales tax, 20% of retail sales price, imposed: SB 4598

RETIREMENT AND PENSIONS, DEPARTMENT OF RETIREMENT SYSTEMS (See also the several public systems by name)

- Allowances, legislators, certain, computation established: SB 4527
- Allowances, legislators, executive department officials, computation revised: SB 4820, SB 4949
- Benefits, spouse, ex-spouse, court termination, member payment in full, member's new spouse provision: SB 4503
- Boards, judicial retirement, LEOFF, teachers' retirement trustees, public employees' retirement, abolished, duties transferred: SB 4633, *Sub HB 762, CH 163 (1982)
- Budget stabilization account, establishment directed, appropriations, fiscal emergencies, retirement systems assets, revenues, biennium credit: Sub HJR 13
- Cities, towns, pension system boards, investment authority modified: *Sub HB 696, CH 166 (1982)
- Early, OFM study requirements: *2nd Sub HB 124, CH 54 E1 (1982)
- Early, PERS, TRS, WSP, conditions specified, expiration date provision: SB 4495
- Early, PERS, TRS, WSP, HERS, conditions specified, expiration date provision, TRS fund appropriation: *2nd Sub HB 124, CH 54 E1 (1982)
- Executive department officials, allowance computation revised: SB 4820, SB 4949
- IRA's, payroll deductions authorized: SB 4697, *Sub SB 4697, CH 107 (1982)
- IRA's, state employees, deferred compensation committee, plans, offering authorized: *Sub SB 4697, CH 107 (1982)
- Judges, disability: *Sub SB 3743, CH 18 (1982)
- Legislators, allowance computation revised: SB 4820, SB 4949
- Legislators, certain, allowance computation established: SB 4527
- Lump sum payments, authorized, LEOFF, PERS, TRS, conditions specified: *SB 4638, CH 144 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

RETIREMENT AND PENSIONS, DEPARTMENT OF**RETIREMENT SYSTEMS—cont.**

- Mortgages, home, pension funds investment, congressional bill support petitioned: SJM 128
- Records, corrections authorized, payment adjustments, lump sum repayment, overpayment recovery period, interest charges, benefits reduction restrictions: *SB 4636 CH 13 (1982)
- Retirement advisory committee, created, advisory capacity to director: SB 4633, *Sub HB 762, CH 163 (1982)
- Retirement, public service, general revisions: *SB 4640, CH 52 E1 (1982)
- School employees, retired, certain, SPI, house, senate ways and means committees, annual report requirement: *2nd Sub HB 987, CH 10 E1 (1982)
- School employees, retirement benefits, excessive, post-retirement billings, school districts, required: *2nd Sub HB 987, CH 10 E1 (1982)
- State patrol retirement board, abolished: *Sub HB 762, CH 163 (1982)
- Unemployment compensation, benefits payment, agencies, method switch allowed: SB 3552
- Unemployment compensation, benefits, prorated deduction, pension recipients, lump sum payment, life expectancy proration: SB 3552
- Vacation leave, unused, accrued, termination of employment, payment prohibited, LEOFF exemption, accumulated use provisions: *Sub SB 5007, CH 51 E1 (1982)

REVENUE AND TAXATION, DEPARTMENT OF REVENUE (See

also various headings for TAXES)

- Agricultural, horticultural produce, crops, business inventory phase-out exemption freeze: Sub SB 4370
- Aircraft excise tax, schedule preparation, collection required, dealer conditions, aircraft tax rate modified: SB 4392
- Allotments, state agencies, as specified, governor revision authority, ways and means committees requirement: Sub SB 4265
- Auditing services, out-of-state contracts permitted: SB 4392, SB 4605, *Sub SB 4605, CH 128 (1982)
- Automotive repairs, appropriation: *HB 375, CH 62 (1982)
- Bonds, metropolitan municipal corporations, short-term obligations, issuance authorized, self-determined conditions: SB 4878
- Budget, balanced, each biennium, state duty: Sub HJR 13
- Budget stabilization account, establishment directed, appropriations, fiscal emergencies, retirement systems assets, revenues, biennium credit: Sub HJR 13
- Budget stabilization account, transfers, deposits, legislative appropriation requirements, expenditures, uses specified: *Sub HB 1109, CH 36 E1 (1982)
- Business inventories, tax credit freeze: Sub SB 4370
- Card games, social, tax imposed: SB 3379
- Cogeneration facilities, tax credit increased: *SB 3394, CH 2 E1 (1982)
- Cogeneration facilities, tax credit limitation provisions: SB 4607
- Community redevelopment financing act: SB 4603, Sub SB 4603, *2nd Sub SB 4603, CH 42 E1 (1982)
- Counties, border, sales, use taxes, imposition, collection suspension by ordinance, constitutional: SB 4950

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

REVENUE AND TAXATION, DEPARTMENT OF REVENUE

—cont.

- County assessors, appeals, hearings pursuant, administrative procedure act, requirement: Sub HB 612
- County indicated ratios, determination, appeal, landowners, intercounty public utilities, private car companies, authorized: Sub HB 612
- County indicated ratios, submission, appeals, procedures review, adjustments: Sub HB 612, *Sub SB 3783, CH 46 E1 (1982)
- Current use valuation, lands with water dependent uses, authorized: SJR 144
- Current use valuation, lands with water dependent uses, designated wetland, shoreland areas, constitutional contingency: SB 4762
- Deed conveyance tax, exempted transactions stated: SB 4038
- Drug trafficking enforcement unit, criminal justice training commission loan, cigarette tax imposed, appropriation: 2nd Sub HB 603
- Estimated tax, quarterly returns, monthly payments permitted: SB 4392
- Fact-finding procedures, educational employment relations act, established: SB 3405
- Federal severance tax trust fund, establishment petitioned: SJM 126
- Fire protection districts, contiguous property subject to leasehold excise tax, annexation authorized, conditions specified: Sub SB 3512
- Fire protection districts, leasehold excise tax distribution: SB 3512
- Fiscal emergencies, retail sales, B&O taxes, increase provisions, as specified: SB 4435
- Forest land, definition revised, timber, forest lands taxation purposes: SB 4608
- Forest land, lesser acreage, current use valuation authorized, contiguous right of way provision: Sub HB 1
- Forms reduction act, agency requirements: *SB 4559, CH 214 (1982)
- Gambling activities, county tax rate imposed certain incorporated areas, provision deleted: SB 4576
- Game lands, county relinquishment, fines, payments received, in lieu of real estate taxes, provisions repealed: SB 3930
- High unemployment areas, businesses locating, B&O tax credit: SB 4870
- Inheritance tax division, appropriation reduction FY 1983, sec 28: *Sub HB 811, CH 14 E2 (1981)
- Intangible personal property, annual property tax imposed, conditions, exemptions, penalties specified: SB 4855
- Investment projects, tax deferrals, certain, repayment requirements revised, exemption provision: SB 4441
- Investment tax deferrals, manufacturing firms, tax payment requirements: SB 4402
- Land, current use classification removal, additional property tax, interest rate specified: SB 4617, Sub SB 4617
- Leasehold excise tax account, distribution limitation, transferred as account within general fund: *Sub HB 773, CH 4 E2 (1981)
- Levy, state, apportionment adjustments: *SB 4634, CH 28 E1 (1982)
- Local government, purchase contracts, awarding, local excise tax revenues consideration authorized: HB 1231
- Local government, taxing power, construction, development projects, prohibitions specified: SB 4451

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

REVENUE AND TAXATION, DEPARTMENT OF REVENUE

—cont.

- Local government, taxing powers prescribed: *SB 4972, CH 49 E1 (1982)
- Local sales and use tax account, distribution limitation, transferred as account within general fund: *Sub HB 773, CH 4 E2 (1981)
- Metropolitan municipal corporations, certain, property tax levy authorized: HB 723
- Mosquito control districts, minimum tax modified: *SB 4599, CH 217 (1982)
- Motor freight carriers, for hire, multiple taxation, gross receipts allocation principles stated, joint audits permitted: *HB 752, CH 169 (1982)
- Motor vehicle fuel, sales, use taxes imposed, rules promulgation: SB 4498
- Motor vehicles, propane, natural gas, use, license fee in lieu of special fuel tax, continued: HB 1002
- Motor vehicle use tax, county auditors collection fee, increased: Sub SB 3044
- Motor vehicle use tax, county auditors collection fee, setting authorized: SB 3044
- Municipalities, local sales and use tax revenues, monthly distribution provisions: SB 4739
- Neighborhood assistance act: SB 4915
- Oil and gas conservation committee, powers, duties revised, oil and gas definitions, regulations revised, severance tax imposed, revolving account created: Sub SB 4944
- Oil and gas severance and conservation tax act: SB 4458
- Personal property, tangible, acquired outside state, tax recovery, civil action, tax payment proof filing requirement: SB 4961
- Pollution control, tax credits, phase-out deadline established: SB 4393
- Pollution control, tax credits, terminated: *Sub HB 485, CH 9 E2 (1981)
- Port districts, industrial development levies, allowable time period lengthened, voter approval requirement: *Sub SB 4963, CH 3 E1 (1982)
- Property assessments, current use required, potential use not to be considered: SB 4816
- Property, real, revaluation, physical inspection schedule, conditions prescribed: SB 3783, *Sub SB 3783, CH 46 E1 (1982)
- Property, real, valuation, appropriate statistical data, rules adoption: *Sub SB 3783, CH 46 E1 (1982)
- Property, taxable, assessment, valuation examination requirement: Sub HB 612
- Public improvements, indebtedness, payment means provided, hearings requirements, eminent domain, potential use, public information: Sub SJR 143
- Public improvements, indebtedness, payment means provided: SJR 143, *Sub SJR 143 E1 (1982)
- Public transportation, motor vehicle excise tax distribution repealed: SB 4656
- Quarterly returns, estimated tax, monthly payments permitted: SB 4392
- Reforestation lands, declassified, conditions specified, owners' removal provisions, county assessor requirements: SB 4487
- Road districts, excess levies authorized: HB 370
- Sales tax exemption permit, collection fees, increased, nonresident permits tax gain study directed: *Sub HB 840, CH 5 E1 (1982)
- School community recreation districts, establishment conditions, taxing powers, bond issuance authority, voter approval requirement: SB 4912
- Schools, excess levy authority, phaseout schedule: SB 3848

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

REVENUE AND TAXATION, DEPARTMENT OF REVENUE

—cont.

- Schools, excess levy limitation, exceeding, phaseout: Sub SB 3848
 Schools, excess levy maintenance and operation, increase authorized: SB 4623
 Sellers, collected sales tax moneys, illegal uses, false tax returns, felony provision: SB 4604
 Sewer, water districts, boundaries, powers revisions, mergers, preexisting mergers authorized; bonding authority, double taxation prevention: Sub SB 3534
 Solid waste disposal districts, establishment authorized, tax levy, bond issuance: *Sub HB 221, CH 175 (1982)
 State lottery, establishment: 2nd Sub HB 1103, SB 4475, SB 4519
 Surtaxes, temporary, imposed, sales, use taxes decreased, food products, reimposed: *SB 4250, CH 35 E1 (1982)
 Surtaxes, temporary, imposed: Sub SB 4368
 Taxable property, examination, assessment, valuation purposes: Sub HB 612, *Sub SB 3783, CH 46 E1 (1982)
 Tax advisory council, membership, duties revised, expenditure payment provision repealed: *SB 4992, CH 41 E1 (1982)
 Tax due dates, specified: SB 4392
 Taxes, quarterly installments, payment required, penalty provision: SB 4428
 Tax evasion, certain, penalty imposed: SB 4604
 Tax exemptions, property, as specified, rules adoption, audits required: SB 4770
 Taxing districts, tax increment obligations, authorized, conditions prescribed, constitutional contingency: SB 4119, Sub SB 4119
 Tax payments, specified collection period, considered within fiscal year ending June 30, 1983: SB 4392
 Tax preferences, review requirements, select committee responsibilities: *SB 4250, CH 35 E1 (1982)
 Tax prepayments, local sales and use taxes, authorized, use provisions: Sub HB 1140, SB 4859, *Sub SB 4859, CH 211 (1982)
 Tax revenues, state, growth restriction: SJR 113, Sub SJR 113
 Technical provisions, procedures, excise, property taxes, modified: SB 4955
 Timber, public land, timber harvesters, excise tax inclusion, existing contracts exclusion: SB 4399
 Titaniferous magnetite, off-shore extraction, excise tax imposed: SB 4620, Sub SB 4620
 Trade-in allowances, selling price, deduction, sales tax purposes: HB 755
 Unclaimed property, disposition, time period reduced: *Sub HB 766, CH 1 E2 (1981)
 Unclaimed property, uniform act, enacted: Sub HB 1128, SB 4391
 Unfair cigarette sales act, renamed, unfair cigarette sales below cost act: *HB 1092, CH 16 E1 (1982)
 Vehicles, ride-sharing, elderly, handicapped persons, MVET exemption: *Sub SB 4545, CH 142 (1982)
 Vehicles, ride-sharing, elderly, handicapped persons, use by public agencies, non-profit agencies, as specified, MVET exemption: SB 4545
 Vehicles, transit services, elderly, handicapped persons, nonprofit corporations, MVET exempt, refund provisions: SB 4760
 Wages, paid certain employees, B&O tax credit granted: SB 4592

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

REVENUE AND TAXATION, DEPARTMENT OF REVENUE

—cont.

- Watercraft, excise tax imposed, conditions specified: SB 4688
- X-rated materials, sales tax, 20% of retail sales price, imposed: SB 4598
- 106% limit, determination provisions modified: Sub HB 17

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RICHMOND, CHESTER A.

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* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) ... Passed during 1981 Second Special Session.
 E1 (1982) ... Passed during 1982 First Special Session.
 E2 (1982) ... Passed during 1982 Second Special Session.

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Logging, as defined, SMA substantial development permit exemption: Sub SB 3728

ROGERS, JACK H.

Member, state investment board, GA 473, confirmed (1981), 609,862

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

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ROSMOND, FREDERICK B.

Member, board of trustees, Peninsula community college

district 1, GA 572, confirmed 418,735,1008

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* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) Passed during 1981 Second Special Session.

E1 (1982) Passed during 1982 First Special Session.

E2 (1982) Passed during 1982 Second Special Session.

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- Comparable worth, higher education, state employees, adjustment required, as specified: SB 4769
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- Justices of the peace, part time, increased, conversion to full time, county commissioner authority granted: *Sub HB 751, CH 29 (1982)
- Labor and industries department, user fees, prevailing wage law administration, established, appropriation: *HB 795, CH 38 E1 (1982)
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- School employees, increase authorized, effective date established, governor, SPI appropriations: Sub HB 1226
- School employees, payment limitations specified, contract termination, reasonable compensation authorized: *2nd Sub HB 987, CH 10 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

SALARIES AND WAGES—cont.

- School employees, retirement benefits, excessive, post-retirement billings, school districts, required: *2nd Sub HB 987, CH 10 E1 (1982)
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- State employees, increases, upper limit established, sec 15 (vetoed): Sub HB 811
- State employees, 7% increase, authorized, effective date established: Sub HB 1226
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- Youth, development, conservation corps, members compensation, increases authorized, parks, recreation commission, appropriation: SB 4313
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- Beer and wine, state liquor stores, authority removal: Sub HB 1039
- Camping clubs, contracts, regulations revised, licensing department appropriation: *HB 1017, CH 69 (1982)
- Commercial fishermen, clam, oyster farmers, catch, direct sales to consumer allowed: HB 1071, SB 4872
- Containers, beverage, pull-tab, sales prohibited, violations, ecology department enforcement, rules adoption: *Sub HB 448, CH 113 (1982)
- Contracts, plain language consumer contracts act, enacted: SB 4853
- DMSO, legend drug, authorized: SB 3185, Sub SB 3185
- Explosives, minors, prohibited, small arms ammunition, hand loader components excluded: *HB 22, CH 111 (1982)
- Explosives, persons under eighteen, unlawful, use provisions, employment exemption specified: HB 22
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- Export assistance centers, establishment provisions, nonprofit corporation formation, commerce and economic department rules adoption, appropriation: Sub HB 1141
- Fireworks: SB 4597, Sub SB 4597, *Sub HB 1149, CH 230 (1982)
- Forest land, reforestation obligation, notice to buyer required: *Sub HB 419, CH 173 (1982)
- Forest products industry employment recovery act: SB 4711
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- Gasoline price posting act: SB 4829
- Health studio services, contracts, regulated: SB 4721
- Hearing aids, licensees regulations revised, continuing education, surety bond, trainee, sales restrictions requirements specified: Sub HB 1150

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) . . . Passed during 1981 Second Special Session.
- E1 (1982) . . . Passed during 1982 First Special Session.
- E2 (1982) . . . Passed during 1982 Second Special Session.

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- Loans, forbearances, transactions, interest rate limitations specified: Sub SB 4536
- Mobile homes, both spouses, participation required: SB 3100
- Mobile homes, both spouses, participation required, title certificate signature requirement: SB 3100
- Motor vehicle fuel, distributors, gas tax, selling price, omission permitted: *HB 854, CH 6 E1 (1982)
- Plain language consumer contracts act: SB 4853
- Port districts, property, personal, sales, secured party rights granted, purchase price, deposit, annual payment requirements: *SB 4571, CH 75 (1982)
- Prophylactics, deregulated: SB 3121
- Real estate, time-sharing regulated, conditions specified, penalties prescribed: SB 3775
- Real estate, time-sharing regulated, conditions specified, penalties prescribed, licensing department appropriation: Sub SB 3775, 2nd Sub SB 3775
- Recreation guide revolving fund, created, proceeds, interagency committee for outdoor recreation, recreation guide sales, revenue, deposit, disbursement, committee authorization appropriation: SB 3915
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- Salmon surplus, fisheries department sale authorized, senior citizens, general public, conditions, penalties prescribed: SB 4479
- State lands, natural resources board, designated agency: Sub SB 4164
- State trade fair fund, surplus funds, CED director, foreign trade related activities, expenditure authority: SB 4385, *HB 780, CH 2 E2 (1981)
- State trade fair fund, surplus funds, use, foreign countries, matching requirements: HB 780
- Tenancy abandonment, property disposal provisions, modified: SB 4557
- Timber contracts, existing, as specified, extension provisions, interest rate set, St Helens damaged timber excluded: Sub SB 4663, SB 4945
- Timber contracts, existing sales, as specified, extension permitted: SB 4788
- Timber contracts, forest products industry employment recovery act, enacted: SB 4711
- Timber sales, procedures, modifications, DNR, directed: *HCR 42 (1982)
- Toxic plants, retail sales, warning labels required, agriculture director rules adoption, violations, misdemeanor: SB 4601
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* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

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- Wineries, domestic, wholesale, retail class J licenses provision, compliance requirement: Sub SB 4747
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- Commercial fisherman, catch, sales direct from boat in port, allowed: HB 1071, SB 4872
- Commercial fishing, Columbia river tributaries, streams, prohibited: SB 4388
- Commercial net fishing areas, Quinault, Queets, Raft river mouths, establishment directed, seasons, chum, sockeye, establishment permitted: HB 458
- Eggs, excess, disposition, fisheries department, director approval authority: SB 4612, SB 4761
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- Enhancement activities, congressional appropriations requested: SJM 114
- Enhancement activities, support program, development requested: SCR 125
- Enhancement programs, volunteer, nonprofit, cooperative, certain, provisions not applicable: Sub SB 3385
- Enhancement projects, federal funding petitioned: SJM 110
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- Fish hatchery revolving fund, created, hatching, rearing, planting, expenditures, surplus salmon eggs, food fish, shellfish, sales, proceeds deposit: Sub SB 3965
- Fishing authority, limited to Grays Harbor-Columbia river commercial salmon fish gill net licenses: HB 458
- Hatcheries, private, nonprofit, authorized, conditions specified: SB 4754
- Indian treaty rights, federal reconsideration petitioned: SJM 129
- Licenses, fisheries department functions, transferred licensing department, eligibility, suspension, revocation, buy back authority retained: Sub SB 3751
- Licenses, permits, single individual, one document, applicable endorsements, combination, licensing department, directed: Sub SB 3751
- Management plan, fisheries department, preparation requirement, legislative reports: Sub SB 3557
- McNeil Island, salmon rearing net pen complex (vetoed): Sub HB 1230
- Personal use, commercially caught, commingling prohibition removed: SB 4442
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* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

SALMON—cont.

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- Surplus, sale authorized, senior citizens, general public, conditions, penalties prescribed: SB 4479
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- Assets, amount on hand specified, loans, investments, revisions, investments investigation, supervisor, authorized: SB 4662, *Sub HB 833, CH 3 (1982)
- Branches, operation, discontinuance, notification requirements: SB 4662
- Cease and desist orders, issuance, challenge, procedures prescribed, review, enforcement, superior court jurisdiction: SB 4662, *Sub HB 833, CH 3 (1982)
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- Domestic, conversion, federal mutual savings bank, authorized: SB 4567
- Fees, taxes provisions revised, foreign associations, prohibited acts, insolvency, liquidation, merger, conversion, guaranty stock associations, governmental investments, revisions: SB 4662, *Sub HB 833, CH 3 (1982)
- Fees, taxes provisions revised, foreign associations, prohibited acts, insolvency, liquidation, merger, conversion, guaranty stock associations: SB 4662
- Foreign, domestic, association formation authorized, operating provisions: SB 4567
- Funds, public, state treasurer, investment authority extended: *SB 4507, CH 148 (1982)
- Loans, investments, modified: SB 4662, *Sub HB 833, CH 3 (1982)
- Organization, revisions: SB 4662, *Sub HB 833, CH 3 (1982)
- Provisions modified: *Sub HB 833, CH 3 (1982)
- Supervisor, appointee, stock divestiture requirement: SB 4662
- Supervisor, powers, duties revised: SB 4662, *Sub HB 833, CH 3 (1982)
- Unsafe, unsound practices, law violations, prescribed notice, issuance, supervisor, authorized, administrative hearing requirement: SB 4662, *Sub HB 833, CH 3 (1982)

SCALES, SYMONE B.

- Chairman, human rights commission, GA 500, confirmed 11,403,867

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

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ASB funds, use, scholarship, charitable purposes, allowed, not considered public funds: SB 3617, *Sub SB 3617, CH 231 (1982)

ASB program funds, scholarship, charitable purposes, use authorized, funds defined: SJR 137

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Audits, private accounting firms, use permitted, competitive bid requirement, limitations, examinations, fees: Sub HB 857

Bond issues, certain, forty percent validation requirement removed, constitutional contingency: HB 997

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Building and capital projects fund, moneys, use, substantial replacement, equipment, furniture, permitted: *Sub HB 849, CH 191 (1982)

Certificated employees, political action committee contributions, payroll deduction restrictions specified: SB 4637

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

SCHOOLS AND SCHOOL DISTRICTS—cont.

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- Classified employees, PERS service requirements, customary vacation periods, holiday recesses, authorized: SB 4920
- Classroom contact hours, direct, certain requirement removed: SB 3588
- Closures, public hearing requirement: *Sub HB 849, CH 191 (1982)
- Closures, SEPA detailed statement requirement exemption, public hearing requirement: Sub HB 849
- Code, common school, SPI publication implementation, sales proceeds distribution: SB 3241
- Code, miscellaneous changes, obsolete sections removal: SB 4707, Sub SB 4707
- Common school support account, created, funds transfer from traffic safety education account: HB 800
- Community participation, economic use of resources, reporting, obsolete language deleted: Sub HB 770
- Consolidation, same two districts, consideration of only one petition during school fiscal year, permitted: *Sub HB 849, CH 191 (1982)
- Direct student service programs, ESD establishment authorized: *HB 401, CH 46 (1982)
- Drivers' ed, traffic safety education courses, establishment provisions repealed: HB 800
- Drugs, alcohol, effects, 7th, 8th grade health courses, curriculum requirement: SB 3724
- Educational policies, structure, management committee, temporary, created, members, duties, report, termination, appropriation: *SB 3609, CH 33 E1 (1982)
- Education enrichment block grant act: SB 4693, Sub SB 4693
- Employees, payment limitations specified, contract termination, reasonable compensation authorized: *2nd Sub HB 987, CH 10 E1 (1982)
- Facilities, existing, energy conservation program, SPI, energy office, ESD's cooperation, conditions specified, funds use, rules, appropriation: Sub SB 3277
- Facilities, existing, inventory, energy efficiency, safety audit, provision: SB 3277
- Fact-finding procedures, educational employment relations act, established: SB 3405
- Federal forest revolving fund, created, SPI distribution, apportionment requirements: SB 4480, Sub SB 4480, *Sub HB 868, CH 126 (1982)
- Firearms, dangerous weapons, school premises, prohibited, violation, class C felony, exemptions: Sub HB 898, SB 4639
- Firearms, dangerous weapons, school premises, students under 21, prohibited, violation, gross misdemeanor, exemptions: *HB 600, CH 47 E1 (1982)
- Forty percent validation, bond elections, certain, validation requirement removed, constitutional contingency: HB 997
- Forty percent validation, excess levy elections, requirement removed: HJR 20
- Four-day week, pilot program, authorized, objectives stated, SPI duties: HB 1000
- Funds, apportionment schedule modified, SPI interest costs appropriation: *Sub SB 4502, CH 136 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

SCHOOLS AND SCHOOL DISTRICTS—cont.

- Funds, building, other, as specified, investment, agent authority delegation: SB 4743
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- Funds, excess, investment authority revised: SB 4429
- Funds, pupil transportation vehicles, other personal property, deposit requirements: *Sub HB 849, CH 191 (1982)
- Graduates, 1982, higher education institution enrollment after March 29, 1982, authorized: SB 4511
- Handicapped children program, eligibility extended, programs, children under three permitted: Sub SB 3912
- Handicapped children program, redesignated, handicapped students, eligibility extended, special aid limitations, programs, children under three permitted: SB 3912
- History contest, national, student participation, trade, industry, Eastern airlines support, May 8, 1982, history day, declaration: *SCR 146 (1982)
- Hygiene, instruction requirement repealed: SB 3240
- Industrial insurance, self-insurers, authorized: SB 3757, SB 4648, Sub SB 4648
- Insurance, permanent fund, loss coverage, first class districts, scope enlarged: SB 4647
- Joint districts, ESD superintendent, office, voter authority removed: HB 188, SB 3242
- Juveniles, institutional education, duties specified, funding stipulation: SB 4772
- Kindergarten, school year defined: *SB 3587, CH 158 (1982)
- Learning objectives, identification required, community involvement mandated, education board schedule setting designation: SB 4655, Sub SB 4655
- Levies, excess, authority phaseout schedule: SB 3848
- Levies, excess, forty percent validation requirement removed: HJR 20
- Levies, excess, limitation, exceeding, phaseout: Sub SB 3848
- Levies, excess, maintenance and operation, increase authorized: SB 4623
- Liquor licenses, applications, within 500 feet, written notice requirement: *Sub HB 1063, CH 85 (1982)
- Motorcycle education courses, offering required: Sub SB 3381
- Motorcycle education programs, fee imposition, SPI appropriation, school reimbursement: Sub SB 3381
- New school district, formation, petition requirements: *Sub HB 849, CH 191 (1982)
- Nonhigh districts, high school accounts, abolished, funds distribution: SB 3449
- Oral medication, students, administration authorized, conditions prescribed, liability exemption: Sub SB 3541, *2nd Sub SB 3541, CH 195 (1982)
- Paperwork reduction coordination, administrative reporting, SPI, directed: SB 3588
- Physical education, instruction, course preparation, enforcement requirements repealed: SB 3240
- Physical education, instruction preparation, enforcement, state board of education, requirement removed: SB 4707, Sub SB 4707
- Program hour offerings, as specified, time percentage units removed: SB 4655, Sub SB 4655

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

SCHOOLS AND SCHOOL DISTRICTS—cont.

- Program hour offerings, basic, work skills, minimum percentage requirements removed: SB 3588
- Program objectives, comparable testing results, descriptive guide inclusion requirement deleted: Sub HB 770
- Property damage, pupil liability: *Sub HB 462, CH 38 (1982)
- Public depositories, funds investment authorized: SB 4825
- Public disclosure, small jurisdictions, reporting requirements suspended, exclusion provision, exempted persons reporting rights: *Sub HB 40, CH 60 (1982)
- Public disclosure, small local governmental units, as defined, exemption: Sub HB 40
- Public works, domestic wood products, purchase required, OFM rules adoption, exemptions: SB 4823
- Pupil transportation, vehicles bond issuance authorized: Sub HB 869
- Pupil transportation, vehicles, purchase, borrowing, negotiable coupon bonds issuance, authorized: Sub HB 770
- Religious teaching certificates, special, graduates, certain nonaccredited institutions with religious affiliations, authorized: Sub SB 4238
- Retirement benefits, excessive increases, post-retirement billings required: *2nd Sub HB 987, CH 10 E1 (1982)
- Scholars program, high school seniors, program development, selection, awards ceremonies, CPE appropriation: SB 3635
- School community recreation districts, establishment conditions, taxing powers, bond issuance authority, voter approval requirement: SB 4912
- School plant facilities aid, bond issue provisions, obsolete, repealed: Sub HB 770
- Seismic hazard, unsafe facilities, school board, state education board duties specified: SB 4911
- Self-insurance groups, formation authorized, L&I director regulation rules adoption required: *Sub HB 849, CH 191 (1982)
- Sexual abuse, children, prevention, SPI, special curriculum development directed: SCR 124
- Short-term obligations, issuance authorized, existing bonds, interest provision: SB 4728, *Sub SB 4728, CH 216 (1982)
- Standardized student testing program, grade 4, not required, 1981-83 biennium: Sub HB 770
- Standardized student testing program, statutory authority removed: Sub HB 770
- Student learning objectives, identification, obsolete language deleted: Sub HB 770
- Students, private schools, public school transportation use permitted, conditions prescribed: SB 3750
- Students, 1982 graduates, higher education institution enrollment after March 29, 1982, authorized: SB 4511
- Student/teacher ratio standard provisions removed: SB 3588
- Student transportation, apportionment, distribution provisions implemented, SPI legislative report required: *Sub SB 4675, CH 24 E1 (1982)
- Student transportation, five-year contracts authorized: SB 4650
- Student transportation, five-year contracts authorized: *Sub HB 849, CH 191 (1982)
- Surplus property, disposition requirements prescribed, private school rights provision: SB 3753, Sub SB 3753

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

SCHOOLS AND SCHOOL DISTRICTS—cont.

- Traffic safety education account, discontinued, common school support account created, school support purposes: HB 800
- Traffic safety education courses, establishment provisions repealed: HB 800
- Trust land, public, purchase rights: *Sub SB 4864, CH 31 E1 (1982)
- Vocational education, functions, federally required, certain, redefined: SB 4725
- Vocational-technical institutes, operating fees, charged by school districts, actual amount stated in operations appropriation act: Sub SB 3929

SCHOOLS - PRIVATE

- Buses, public schools, use permitted, conditions prescribed: SB 3750
- Districts, surplus property disposition requirements, prescribed, private school rights provision: SB 3753, Sub SB 3753
- Education board, state, member representative, voting authorized: SB 4715
- Oral medication, students, administration authorized, conditions prescribed, liability exemption: Sub SB 3541, *2nd Sub SB 3541, CH 195 (1982)
- School districts, surplus property, disposition requirements prescribed, private school rights provision: SB 3753, Sub SB 3753
- State control, individuals, church educational ministries, certain, exclusion: SB 4613

SCHOOLS - PROPRIETARY

- Cosmetology regulations, revised, practice redefined, licensing director duties: *2nd Sub HB 378, CH 225 (1982)
- Motorcycle education courses, offering required: Sub SB 3381

SCHOOLS - RESIDENTIAL

- Deaf, blind, sensory handicapped, superintendents, persons over 18, authorized: Sub HB 148
- Deinstitutionalization subsidy program, parents of institutionalized persons, created, conditions specified, DSHS secretary duties: SB 4847
- Fees, residential services, DSHS, conditions specified: Sub HB 759, *Sub SB 4418, CH 201 (1982)
- Frances Haddon Morgan children's center, Bremerton, Kitsap county, established: *SB 4199, CH 89 (1982)
- Juveniles, in detention, school district educational requirements, funding from residential schools programs: SB 4772
- Social and health services financial responsibility act, enacted, recipients, responsible persons, conditions: Sub HB 759

SCHRAM, DONNA D.

- Member, sentencing guidelines commission, GA 500, confirmed 17,429,873

SCOLIOSIS

- Screening, program reduction prohibition, as specified, sec 74: *Sub HB 811, CH 14 E2 (1981)

SCOTT, SENATOR GEORGE

- Personal privilege, testimonial to democracy 2641
- Remarks, regarding SB 4374 50
- Statement for journal, regarding amendment to SHB 849 1339-1340

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

SCOTT, STEVE

Member, sentencing guidelines commission, GA 524, confirmed 17,429,873

SCROGGS, ANN HOBI

Member, board of trustees, Grays Harbor community college
district 2, GA 430, confirmed (1981), 417,862

SEARCH AND RESCUE

Transportation department, appropriation: *Sub SB 3946, CH 25 E1 (1982)

SEATBELTS

Child safety restraints, standards adoption, parent use requirements, violations,
fines, noncompliance provisions: Sub HB 288, Sub SB 3252, SB 4548

SEATTLE

Alaskan Way seawall, certain easterly lands, SMA exemption: SB 4724
Convention and trade center, council created, members, study, recommendations
requirements: SCR 116
Convention and trade center, nonprofit corporation management, bond issuance,
lodging excise tax, appropriation: *Sub HB 1015, CH 34 (1982)
Emission control program, nonattainment areas, repeal urged: HJM 24
Fort Lawton/Discovery Park, decision-making, final disposition, historic preser-
vation exemption: 2nd Sub SB 3027
Smith's cove waterway, offer to sell, Port of Seattle, fair market value, appraisal
costs reimbursement: *SB 4025, CH 1 E1 (1982)
Smith's cove waterway, vacation, title vested in port of Seattle, subject permis-
sion abutting owners: SB 4025

SEATTLE COMMUNITY COLLEGE DISTRICT NO. 6, BOARD OF TRUSTEES

Carbone, Daniel V, member: GA 535, confirmed 20,447,877

SECRETARY OF STATE

Absentee ballots, hospital patients, application provision: Sub HB 43
Absentee ballots, use restrictions specified: SB 4845
ASB program funds, scholarship, charitable purposes, use authorized, funds
defined: SJR 137
Authenticating officers, appointment authorized: SB 4572, SB 4716, *Sub SB
4716, CH 35 (1982)
Ballots, general elections, uniform format required: *Sub HB 888, CH 121
(1982), SB 4471
Budget, balanced, each biennium, state duty: Sub HJR 13
Budget, federal, balanced, via constitutional amendment or constitutional conven-
tion call limited to balanced budget amendment, petitioned, referendum provi-
sion: SJM 105
Budget stabilization account, establishment directed, appropriations, fiscal emer-
gencies, retirement systems assets, revenues, biennium credit: Sub HJR 13
Candidates, indigent, filing: SB 4472, Sub SB 4472
Candidates, municipal office, declaration of candidacy filing, city, town clerk,
delivery to county auditor requirement: HB 439
Candidates, simultaneous candidacy, incompatible offices, not allowed: SB 4624

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

SECRETARY OF STATE—cont.

- Census, state, constitutional requirement removed, obsolete terms updated: SJR 141
- Constitution, obsolete provisions, as specified, removed: SJR 142
- Current use valuation, lands with water dependent uses, authorized: SJR 144
- Current use valuation, lands with water dependent uses, designated wetland, shoreland areas, constitutional contingency: SB 4762
- Elections, costs, state officers, measures on ballot, prorated share, state assumption: SB 3932
- Elections, legal notices, requirements revised: SB 4589
- Energy conservation, renewable energy sources, loans, state, local governments, authorized: SJR 111, Sub SJR 111 2nd Sub SJR 111
- Executive branch, reorganization facilitation: SJR 139, Sub SJR 139
- Filing procedures, fee schedules, administrative requirements revised: SB 4572, SB 4716, *Sub SB 4716, CH 35 (1982)
- Incorporation, association, business license center, designated agency: SB 4679, *Sub HB 878, CH 182 (1982)
- Indebtedness, public improvements, payment means provided, hearings requirements, eminent domain, potential use, public information: Sub SJR 143
- Indebtedness, public improvements, payment means provided: SJR 143, *Sub SJR 143 E1 (1982)
- Initiatives, referendums, clarified: Sub SB 3895
- Initiatives, referendums, petition requirements updated: *Sub HB 663, CH 116 (1982)
- Initiatives, referendums, petitions, normal size paper, use allowed, including newsprint: Sub SB 3645
- Initiatives, referendums, signature sufficiency, judicial review, terminology updated: SB 4625
- Judges, courts of limited jurisdiction, candidate with largest primary vote on general election ballot: SB 4659
- Justice courts, unlawful detainer actions, concurrent original jurisdiction: SJR 140
- Law practice, legislature definition authorized: SJR 147
- Legislative bills, passed, governor, action required, as specified: SJR 145
- Legislative district, 35, boundaries clarified: *HB 775, CH 5 E2 (1981)
- Political candidates, residence defined, registration purposes: SB 4921
- Productivity board, annual status report requirement: *Sub HB 837, CH 167 (1982)
- Productivity board, created, employee suggestion program, incentive pay administration, conditions specified: Sub HB 837
- Recall elections, petition requirements revised: SB 4589
- Redistricting commission, establishment, members, direction, supreme court jurisdiction: Sub SJR 108, SJR 119
- Redistricting commission, independent, establishment authorized, conditions, duties: SJR 136
- Schools, bond elections, certain, forty percent validation requirement removed, constitutional contingency: HB 997
- Schools, excess levy elections, forty percent validation requirement removed: HJR 20

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

SECRETARY OF STATE—cont.

- State lottery, establishment, referendum provision: 2nd Sub HB 1103
- Superintendent of public instruction, appointment by, serve at pleasure of governor: SJR 135
- Tax revenues, state, growth restriction: SJR 113, Sub SJR 113
- Transmittal, governor calling second special session, (1981) 2
- Transmittal, governor calling first special session, (1982) 1662
- Transmittal, proclamation of governor calling second special session, (1982) 2654
- Utilities and transportation commission, members, nonpartisan state-wide elected officials provision, election requirements specified: SB 4591
- Voter registration, technical changes: SB 3257, Sub SB 3257
- Voters pamphlet, bond measures, information, disclosure required, contents prescribed, printed border requirement: Sub HB 11
- Voters pamphlet, bond measures, information, disclosure required: Sub HB 11
- Voters pamphlet, statements, preparation procedures revised, as specified: SB 4833
- Voters, qualifications previously found unconstitutional, repealed: *SB 4749, CH 99 (1982)
- Voting boundary commission act, redistricting, reapportionment standards, powers, duties: *Sub HB 787 CH 2 (1982), SB 4426
- Voting devices, approval authority transferred from committee, hereby abolished, approved devices use, experts employment: *HB 572, CH 40 (1982)

SECRETARY OF THE SENATE

Sidney R. Snyder

SECURE TRANSACTIONS

- Financing statements, amendments, certificates, fees, filing officer's duties, modified, licensing department appropriation: *HB 822, CH 186 (1982)

SECURITIES

- Controlled substances, acquisition use, forfeiture requirement, use without owner's consent, knowledge, forfeiture prohibited: *Sub HB 15, CH 171 (1982)
- Insurers, domestic, investments, assets, provisions implemented: *SB 4569, CH 218 (1982)
- Retail sales, use taxes, securities, as defined, imposed, exemptions specified: SB 4450

SELLAR, SENATOR GEORGE

- Apple Blossom royalty, introduced 1191
- Appointed, member, joint select committee on telephone systems 539
- Remarks, regarding SSB 4201 1763
- Remarks, retirement of Senator Wilson 1768

SENIOR CITIZENS (See also TAXES – PROPERTY)

- Aging, state advisory council, created, powers, duties, members, DSHS secretary authority, advisory councils, services to the aging, deleted: Sub SB 3087
- Aging, state advisory council, created, powers, duties, members: SB 3087
- Dependent persons, adult, abuse, report procedures: Sub SB 3582
- Housing finance commission, established, appropriation: 2nd Sub SB 3084

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

SENIOR CITIZENS—cont.

- Licenses, free, fishing, hunting, single document, applicable endorsements, consolidation required: Sub SB 3751
- Salmon surplus, fisheries department sale authorized, conditions, penalties prescribed: SB 4479
- Vehicles, ride-sharing, as defined, MVET exemptions: *Sub SB 4545, CH 142 (1982)
- Vehicles, ride-sharing, use by public agencies, nonprofit agencies, as specified, motor vehicle excise tax exempt: SB 4545
- Vehicles, transit services, MVFT exempt, refund provision: SB 4760

SENTENCES – PENAL (See also PRISON TERMS AND PAROLES BOARD)

- Community service, defined: *Sub HB 874, CH 192 (1982)
- Crime victims compensation, criminal penalty assessments, suspended sentence provision: *2nd Sub HB 828, CH 8 E1 (1982)
- Drunk drivers, mandatory 24-hour imprisonment, probation, diagnostic evaluation, treatment, second conviction provisions: *HB 600, CH 47 E1 (1982), SB 4819, Sub SB 4819
- Felons, revisions: *Sub HB 874, CH 192 (1982)
- Legislators, felony conviction, salary termination: SB 3864
- Minimum terms, community supervision, partial confinement revisions: *Sub HB 874, CH 192 (1982)
- Offenses, certain, statutory changes, prison terms and paroles board, consideration required: SB 4685
- Police court, after appeals, supreme court rule, trial de novo provision: SB 3069
- Police court, appeals, provision, superior court limitation: SB 3069
- Rape, first degree, convictions, restrictions: *Sub HB 874, CH 192 (1982)
- Restitution, nonphysical injuries, conditions prescribed: *Sub HB 874, CH 192 (1982)
- Suspended, court modification: *HB 600, CH 47 E1 (1982)

SENTENCING GUIDELINES COMMISSION

Aaron, Phillip, member: GA 514, confirmed	15,494,871
Brockett, Donald C, member: GA 515, confirmed	15,403,871
Clarke, Harold D, member: GA 516, confirmed	15,404,872
Clifford, Arthur F, Jr, member: GA 517, confirmed	15,404,872
Coleman, H Joseph, member: GA 518, confirmed	16,404,872
Hansen, Paul D, member: GA 519, confirmed	16,404,873
Johnson, Charles V, member: GA 520, confirmed	16,404,873
Maleng, Norm, member: GA 521, confirmed	16,404,888
Netherland, Warren, member: GA 522, confirmed	17,405,889
Schram, Donna D, member: GA 523, confirmed	17,429,873
Scott, Steve, member: GA 524, confirmed	17,429,873
Standard sentence ranges recommendations, deadline extended: *Sub HB 874, CH 192 (1982)	

SERVICE AREAS (See also URBAN SERVICE AREAS)

- Community mental health services act, revised: SB 4786, SB 4787, *Sub SB 4786, CH 204 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

SERVICE STATIONS – MOTOR VEHICLE FUEL

Gasoline price posting act, enacted, penalty, misdemeanor provisions: SB 4829
 Gas tax, selling price, omission permitted: *HB 854, CH 6 E1 (1982)
 Oil recycling, ecology department, program, energy office cooperation, used oil information center, collection points, surveys, rules adoption: SB 4686

SESSION LAWS

Distribution, statute law committee requirements: HB 1080, *SB 4717, CH 32 E1 (1982)

SEWERAGE AND SEWER DISTRICTS (See also SPECIAL PURPOSE DISTRICTS)

Annexation, "island" within, procedures prescribed, referendum provision, as specified: *SB 4064, CH 146 (1982)
 Boundaries, powers revisions, mergers, preexisting mergers authorized, bonding authority, double taxation prevention: Sub SB 3534
 Commissioners, merged special purpose districts, office-holding, election, ballot provisions modified: *SB 4905, CH 104 (1982)
 Comprehensive plans, county legislative authority responsibilities: SB 4481, *Sub SB 4481, CH 213 (1982)
 Development charges, prohibition exclusion: Sub HB 312, *SB 4972, CH 49 E1 (1982)
 Facilities, counties, construction, private developers, authority granted: SB 3593
 Formation, annexation, consolidation, merger, multicounty, revisions specified: *HB 1145, CH 17 E1 (1982)
 Materials, work, improvements, cost without bid increased: *SB 4905, CH 104 (1982)
 Sewer lines, connections, existing dwellings, functioning on-site systems, health board shall not require: SB 4906
 Sewer lines, new, referendum 39 bond moneys, use authorized, high unemployment areas, industrial districts development priorities: SB 4877
 Sewer lines, new, referendum 39 bond moneys, use authorized: SB 4877
 Short-term obligations, issuance authorized, existing bonds, interest provision: SB 4728, *Sub SB 4728, CH 216 (1982)
 Street lighting systems, establishment authorized, resolution, petition in opposition provisions: *SB 4602, CH 105 (1982)
 System, redefined, sewerage and/or water general plan, comprehensive plan, inclusion: SB 3739, Sub SB 3739

SEX CRIMES

Prostitution, prostitute under 18, customer 18 or over, class C felony: Sub HB 293
 Rape crisis centers, records, defense attorney availability, conditions prescribed: Sub SB 3958
 Sexual abuse, children, commencement of prosecution, five-year limitation established: HB 682
 Sexual assault victims, counselors, communications, crime prosecution, not admissible, conditions prescribed: SB 3958

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

SEXUAL OFFENDERS

Children, sexual abuse victims, actions, time limits, rules of evidence modified:
SB 4461, *Sub SB 4461, CH 129 (1982)

SHABER, BERT

Member, board of trustees, Eastern Washington University, GA 552,
confirmed 388,702,881

SHEEP

Sales, no implied warranties provision: *SB 4436, CH 199 (1982)

SHELTERED WORKSHOPS

Printing services, total copy systems services, state agencies, use required, conditions specified, higher education exemption: *Sub HB 1024, CH 164 (1982)

SHERMAN, VAUGHAN A.

Member, board of trustees, Edmonds community college
district 23, GA 544, confirmed 23,477,879

SHINPOCH, SENATOR A. N. "BUD"

Personal privilege, regarding ESB 4250, tax fair, expand base, certain 2450-2451
Remarks, regarding point of order by Senator Newhouse 1559

SHIPS AND BOATS

Commercial fishermen, clam, oyster farmers, catch, direct sales to consumer
allowed: HB 1071, SB 4872

Crab licenses, commercial, Puget Sound licensing district, issuance requirements,
leased, rented vessels provision: *SB 4464, CH 157 (1982)

Crab licenses, commercial, Puget Sound licensing district, issuance requirements:
HB 842, SB 4464

Ferries, historic, disposition regulated: *SB 4956, CH 210 (1982)

Lumber shipments, west coast to east, gulf coasts, foreign bottoms, authorization
petitioned, HR 3577 passage: SJM 130

Moorage facilities, port districts, rentals, use, regulations adoption authorized,
enforcement procedures establishment permitted: SB 4014, Sub SB 4014

Navigation projects, federal full funding maintenance petitioned, user fees im-
position opposed: *SJM 115 (1982)

Salmon enhancement activities, congressional appropriations requested: SJM 114

Salmon enhancement activities, support program, fisheries department, develop-
ment requested: SCR 125

Salmon fishing, treaty Indian fisheries, nontreaty Indian participation limited:
*SB 4522, CH 197 (1982)

State parks, selected, boat moorage fee program, establishment, parks and recre-
ation commission appropriation: HB 865, SB 4485, *Sub SB 4369, CH 50 E1
(1982)

Watercraft, excise tax imposed, conditions specified: SB 4688

SHORELINE COMMUNITY COLLEGE DISTRICT NO. 7, BOARD OF TRUSTEES

Owen, Tracy, member: GA 562, confirmed 390,545,884

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

SHORELINE MANAGEMENT (See also **ECOLOGY, DEPARTMENT OF; TIDELANDS; NATURAL RESOURCES, DEPARTMENT OF**)

- Alaskan Way seawall, certain easterly lands, SMA exemption: SB 4724
- Aquatic lands joint legislative committee, members, duties, report, termination: *Sub SB 4824, CH 21 E1 (1982)
- Cherry Point, state-wide economic significance designation, commercial uses encouraged, as specified (vetoed): SB 4831
- Classification, changing circumstances, revisions, high water mark changes, in accordance, local government or DOE permits: *SB 3916, CH 13 E1 (1982)
- Land, water dependent uses, current use valuation, authorized: SB 4762
- Land, water dependent uses, current use valuation, authorized: SJR 144
- Local government master program adjustments, review provisions, as specified, APA exemption, as specified: Sub HB 1098
- Permits, review, shoreline hearings board, on the record requirement, de novo hearings, contested case hearings, notices: Sub HB 914
- Shorelands, leases, maximum annual increase rate set, geoduck, oysters, clams exemption: *Sub SB 4824, CH 21 E1 (1982)
- St Helens, recovery operations, SMA exemption: SB 4510, *Sub SB 4510, CH 7 (1982)
- Substantial development, permits, granting revision: SB 4618
- Substantial development, SMA, logging road, as defined, permit exemption: Sub SB 3728

SICK LEAVE

- Attendance incentive program, school employees, buy-back authority repealed, sick leave accumulation established: SB 4383

SIGNATURES

- Initiatives, referendums, sufficiency, judicial review, terminology updated: SB 4625
- Mobile homes, sales, both spouses, participation required, title certificate signature requirement: SB 3100
- Secretary of state, authenticating officers, appointment authorized: SB 4572, SB 4716, *Sub SB 4716, CH 35 (1982)

SIGNS

- Gasoline price posting act, enacted, penalty, misdemeanor provisions: SB 4829

SIMONS, CAROL

- Member, board of trustees, Edmonds community college district 23, GA 545, confirmed 23,477,879

SIRENS

- Law enforcement vehicles, equipment commission use designation authority: *Sub SB 4826, CH 101 (1982)

SKAGIT VALLEY COMMUNITY COLLEGE DISTRICT NO. 4, BOARD OF TRUSTEES

- Anderson, James E, member: GA 582, confirmed 1004,1120,1200
- Bishop, James P, member: GA 578, confirmed 686,1120,1199
- deVries, Elna I, member: GA 553, confirmed 388,609,881

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) ... Passed during 1981 Second Special Session.
 E1 (1982) ... Passed during 1982 First Special Session.
 E2 (1982) ... Passed during 1982 Second Special Session.

SMALL BUSINESS

Export assistance centers, establishment provisions, nonprofit corporation formation, commerce and economic department rules adoption, appropriation: Sub HB 1141

Regulatory fairness act: *HB 385, CH 6 (1982)

Small business equity corporataion act: SB 4876

Small business innovators' opportunity program, established, pilot project, termination date, CED appropriation: SB 4582, *HB 1013, CH 44 (1982)

Small business investment act: SB 4874

SMALL CLAIMS COURTS

Actions, plaintiff commencement limitation: Sub SB 3110

Contractors, bonds, district court actions authorized, small claims department exclusion: SB 3115

Jurisdiction, maximum increased: Sub SB 3110

SMITH'S COVE WATERWAY

Vacation, offer sell, Port of Seattle, fair market value, appraisal costs reimbursement: *SB 4025, CH 1 E1 (1982)

Vacation, title vested in port of Seattle, subject permission abutting owners: SB 4025

SMOKING (See also TAXES - CIGARETTES AND TOBACCO)

Inmates, not provided unless earned, sec 42 (vetoed): Sub HB 811

Public places, as specified, regulated: SB 4863

SNOWMOBILES

Registration, fees increased, dealer registration denial, penalties, authorized, decal, failure to show, fine increased: *HB 896, CH 17 (1982)

SNYDER, SIDNEY R.

Secretary of the Senate

SOCIAL AND HEALTH SERVICES, DEPARTMENT OF (See also CORRECTIONS, DEPARTMENT OF; NURSING HOMES; PUBLIC ASSISTANCE, CHORE SERVICES; JUVENILES; SCHOOLS-RESIDENTIAL)

Abortion, induced premature birth, medical care services prohibited, exemptions specified: 2nd Sub HB 756

Adoption, support, eligibility age lowered: *Sub HB 848, CH 118 (1982)

Agent orange, other chemical defoliants, veterans, physicians, hospitals, DSHS, UW medical facilities, attorney general provisions: SB 4687

Aging, state advisory council, created, powers, duties, members, DSHS secretary authority, advisory councils, services to the aging, deleted: Sub SB 3087

Aging, state advisory council, created, powers, duties, members: SB 3087

Alcoholism, drug abuse programs, counties, provisions modified: SB 4643, *HB 410, CH 193 (1982)

Blind commission, abolished, powers, duties transferred: SB 4553

Blind services, appropriation repealed, sec 49 (vetoed): Sub SB 4369

Blood banks, regulations imposed, implementing rules adoption directed: SB 4583, Sub SB 4583

Certificate of need program, review, specified exemptions: HB 757

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

SOCIAL AND HEALTH SERVICES, DEPARTMENT OF—cont.

- Certificate of need program, threshold amounts increased: *HB 757, CH 119 (1982)
- Child abuse and neglect council, established, community-based programs, marriage license fee increased, report, termination, governor appropriation: *3rd Sub HB 179 CH 4 (1982)
- Children and families division, plans development, legislative submission schedule prescribed, services consolidation purposes: SB 4851
- Child welfare and day care advisory committee, redesignated children's services advisory committee: *Sub HB 848, CH 118 (1982)
- Cigarette tax, increased, cancer research, funds use, allocation authority: HB 885, SB 4427
- Cigarette tax, increased, cancer research, funds use, allocation authority, LBC program evaluation, report requirements: HB 885
- Community mental health agencies, certification provisions: SB 4942
- Community mental health program, counties, annual plan of proposed expenditures, submission requirement removed: SB 4646
- Community mental health services act, revised, DSHS duties, mental health services centers, areas: SB 4786, SB 4787, *Sub SB 4786, CH 204 (1982)
- Cost-shared day care program, funds availability, regional offices administrative expenses reduction: Sub HB 1105
- Day care homes, private family, regulated, registration, fire, health inspections, certification limitation: SB 4434
- Day care homes, private family, regulated, registration, fire, health inspections: SB 3007
- Deinstitutionalization subsidy program, parents of institutionalized persons, created, conditions specified, secretary's duties: SB 4847
- Dependent persons, adult, abuse, report procedures: Sub SB 3582
- Developmentally disabled persons, dental care, eligibility standards establishment, care availability, appropriation: SB 4913
- Developmentally disabled persons, statute, definition as in public law 91-517, repealed: *HB 851, CH 224 (1982), SB 4651
- Displaced homemaker program, agency services description, marriage license fee, additional imposed postsecondary education council appropriation: *HB 286, CH 15 E1 (1982)
- Employable persons, unemployed, general assistance eligibility, terminated, public assistance eligibility, cash assistance programs, limits: Sub SB 3539
- Facilities, bond issuance authorized: *Sub HB 808, CH 23 E1 (1982)
- Federal revenues, availability, uncertainty, allotment modification provisions, sec 41: *Sub HB 811, CH 14 E2 (1981)
- Financial responsibility for residential and nonresidential services joint select committee, created: *Sub SB 4418, CH 201 (1982)
- Financial responsibility requirements: Sub HB 759, *Sub SB 4418, CH 201 (1982)
- Food stamps, allotments, housing subsidies, consideration as income permitted, AFDC program: *2nd Sub HB 756, CH 10 E2 (1981)
- Foster care, children, longer than two years, maximum number, DSHS goals required: SB 4645

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

SOCIAL AND HEALTH SERVICES, DEPARTMENT OF—cont.

- Foster care, group care placements, prohibited unless group home licensed and child can be freely moved: SB 4645
- Foster care, revisions, adoption support: SB 4645, *Sub HB 848, CH 118 (1982)
- Fragile children's program, funding requirements, sec 45: *Sub HB 811, CH 14 E2 (1981)
- Fragile children's program, group homes start-up costs, appropriation, limitations, sec 40: Sub SB 4264
- Health board, state, sewer line connections, certain, shall not require: SB 4906
- Northwest interstate compact on low-level radioactive waste management, congressional approval petitioned: SJM 124, Sub SJM 124
- Nuclear waste, high-level, federal policies, modification petitioned: SJM 116
- Nuclear waste, low-level, in-state storage, volume reduction, radiation control agency, directed, as specified: SB 4590
- Nursing homes, appraisers, accounting purposes, accreditation requirements specified: *HB 728, CH 117 (1982)
- Nursing homes, cost reimbursement requirements: *Sub SB 4285, CH 19 E1 (1982)
- Nursing homes, patients, publicly supported, voluntary contributions, care costs offset, program development intent: Sub HB 1158
- Occupational information service, employment security department, designated agency, conditions specified: SB 4628, *Sub HB 920, CH 43 (1982)
- Posttraumatic stress disorder training, community mental health professionals, appropriation: HB 470
- Psychiatric facility, acute care, bonds authorized, appropriation: SB 4752
- Radioactive waste, joint select committee, established, members, duties, report: SCR 140
- Resources, retention list revised, definition consistent with federal requirements: *2nd Sub HB 756, CH 10 E2 (1981)
- Social and health services financial responsibility act: Sub HB 759
- Thorium, uranium, milling defined: SB 3425
- Uranium, thorium, milling defined: *SB 3425, CH 78 (1982)
- Water supply facilities, appropriation: *Sub HB 1230, CH 48 E1 (1982)
- Water supply facilities, referendum 38, appropriation: Sub SB 4270

SOCIAL SERVICES

- Children and families division, DSHS, plans development, legislative submission schedule prescribed, services consolidation purposes: SB 4851
- Vehicles, ride-sharing, elderly, handicapped persons, MVET exemption: *Sub SB 4545, CH 142 (1982)
- Vehicles, ride-sharing, elderly, handicapped persons, use by public agencies, non-profit agencies, as specified, MVET exemption: SB 4545
- Vehicles, transit services, elderly, handicapped persons, nonprofit corporations, MVFT exempt, refund provision: SB 4760
- Volunteer counseling services, offenders, drug-related and violent crimes, development, jail commission involvement, conditions specified: SB 4953

SOLAR ENERGY

- Buildings, publicly owned, leased, design, renewable energy systems consideration: *SB 3156, CH 159 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

SOLID WASTE DISPOSAL (See also POLLUTION; RADIOACTIVE WASTES; WASTE DISPOSAL)

- Advisory committee, membership increased, scope expanded: *SB 4909, CH 108 (1982)
- Districts, establishment authorized, tax levy, bond issuance: *Sub HB 221, CH 175 (1982)
- Garbage trucks, additional tonnage permit specifications: SB 4907
- Nuclear waste, high-level, federal policies, modification petitioned: SJM 116
- Nuclear waste, low-level, in-state storage, volume reduction, radiation control agency, directed, as specified: SB 4590
- Solid waste advisory committee, abolished: Sub HB 762
- Solid wastes, ownership, vested in collector from collection point, original owner's rights removed: HB 735
- Solid wastes, ownership, vested in collector from collection point, original owner's rights removed, recyclable paper, metal, glass wastes not vested: HB 735

SOLVENTS

- DMSO, legend drug, sales, use authorized: SB 3185, Sub SB 3185
- Substances, as specified, smelling, inhaling fumes, unlawful: SB 4736

SPECIAL PURPOSE DISTRICTS

- Commissioners, merged districts, office-holding, election, ballot provisions modified: *SB 4905, CH 104 (1982)
- Commissioners, merged districts, office-holding provisions specified: SB 4905
- Environmental coordination, permit processing, ecology department, inclusion, conditions prescribed: Sub HB 634
- Environmental coordination procedures act, permit processes, alternatives, DOE development, advisory council, local government officials, public members: Sub HB 634
- Formation, annexation, consolidation, merger, multicounty, revisions specified: *HB 1145, CH 17 E1 (1982)
- General comprehensive plans, county legislative authority responsibilities: SB 4481, *Sub SB 4481, CH 213 (1982)
- Materials, work, improvements, cost without bid increased: *SB 4905, CH 104 (1982)
- Sewer, water districts, "island" within, annexation procedures prescribed, referendum provision: *SB 4064, CH 146 (1982)
- Street lighting systems, sewer, water districts, establishment authorized, resolution, petition in opposition provisions: *SB 4602, CH 105 (1982)
- Substantial development permits, ECPA permit definition exclusion: Sub HB 634

SPEECH PATHOLOGISTS

- Speech-language pathologists and audiologists act: SB 3603, Sub SB 3603
- Speech-language pathology and audiology board, established, members, licensing department responsibilities: SB 3603, Sub SB 3603

SPEED LIMITS

- National maximum speed limit, if repealed, state authority, energy conservation purposes, termination provision: HB 576
- 55-70 mph, violations, freeways, insurance abstract exclusion, abstract use violation, misdemeanor: SB 3518, Sub SB 3518

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

SPELLMAN, GOVERNOR JOHN (See also GOVERNOR)

- Message, joint session 4-6
- Message, state of the state 395-398
- Proclamation, calling second special session, (1981) 2
- Proclamation, calling first special session, (1982) 1662
- Proclamation, calling second special session, (1982) 2654

SPIRIT LAKE

- State route 504, renamed Spirit Lake memorial highway, route description correction, DOT extension construction: *SB 4706, CH 82 (1982)
- State route 504, renamed Spirit Lake memorial highway, route description correction: SB 4398, SB 4706

SPOKANE COMMUNITY COLLEGE DISTRICT NO. 17, BOARD OF TRUSTEES

- Clark, Girard, member: GA 566, confirmed 391,735,1008

SPORTS

- School community recreation districts, establishment conditions, taxing powers, bond issuance authority, voter approval requirement: SB 4912

SPOUSES

- Criminal actions, witness, disqualification, not applicable, marriage occurring after charges filed: *SB 4474, CH 56 (1982)
- Homesteads, conveyance, encumbrance, acknowledgment provision repealed: SB 4798
- Industrial insurance, compensation, death benefits, adjustments, reflect changes average monthly wages: *SB 4133, CH 20 E1 (1982)
- Mobile homes, sales, both spouses, participation required: SB 3100
- Retirement, public employment, benefits, court termination, member, payment in full, member's new spouse provision: SB 4503

STADIUMS

- Cultural arts, stadium, and convention districts, establishment permitted, powers, duties, taxing authority: *Sub HB 1156, CH 22 E1 (1982)
- Metropolitan municipal corporations, certain, operation authorized: HB 723

STAMPS (See also TRADING STAMPS)

- Mount St. Helens, eruption, commemorative stamp issuance petitioned: *HJM 15 (1982)

STATE ARCHIVES

- Records, public, preservation, destruction, provisions modified: *HB 357, CH 36 (1982)

STATE AUDITOR

- Agencies, audited, costs, budget preparation estimates, provision deleted, sec 18: Sub SB 4264, *Sub SB 4369, CH 50 E1 (1982)
- Agriculture marketing agreements, accounts, annual audit requirement removed: SB 4566
- Agriculture marketing agreements, commissions, annual audit requirement modified: *Sub SB 4566, CH 81 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) ... Passed during 1981 Second Special Session.
 E1 (1982) ... Passed during 1982 First Special Session.
 E2 (1982) ... Passed during 1982 Second Special Session.

STATE AUDITOR—cont.

- Audits, public agencies, as specified, private accounting firms, use permitted, competitive bid requirement: Sub HB 857
- Audits, public agencies, as specified, private accounting firms, use permitted, competitive bid requirement, limitations, examinations, fees: Sub HB 857
- Improper governmental actions, disclosure, public employees, reprisal prohibited, employee responsibilities, state auditor duties: *Sub HB 593, CH 208 (1982)
- Local government, audit requirements, legislative joint review, report: SCR 110, Sub SCR 110
- Municipal corporations, audit expenses, municipal revolving fund expenditure requirements, municipal corporations division duties: SB 4573
- Municipal corporations, audit expenses, scope extended, municipal corporations division duties, auditor rules adoption: SB 4781, *Sub HB 855, CH 206 (1982)
- Report, discussions with governing bodies, prior to final report issuance, open public meetings act exemption: SB 3073
- Report, meetings with governing bodies to receive preliminary reports, open public meetings act, exemption: SB 3073
- State lottery, annual post-audit required: 2nd Sub HB 1103, SB 4519

STATE BUILDING CODE

- Committee, joint select, created: SCR 139
- Energy efficient thermal, lighting standards, commercial, residential buildings, in effect: SB 3310, SB 4113
- Jails, space requirements, operating, other standards, commission review, modification directed, as specified: *Sub HB 774, CH 12 E2 (1981)
- Local government, amendment prohibitions specified: SB 4653
- National code references, updated: SB 4113, SB 3310
- State building code advisory council abolished: SB 4653
- Thermal efficiency and lighting code, state-wide, adoption authority repealed: SB 4653
- Three-story apartments, certain, UBC inclusion, buildings, four stories or more, excluded: SB 4653
- Urea-formaldehyde based foam insulation, installation, residential structures, prohibited: SB 3310

STATE FINANCE COMMITTEE

- Fiscal emergencies, retail sales, B&O taxes, increase provisions, as specified: SB 4435
- Membership, stated: SB 4435

STATE FINANCE COMMITTEE - BONDS

- Conservation and small scale renewable energy development revolving fund established, general obligation bonds, bond anticipation notes authorized, constitutional contingency: SB 3287, Sub SB 3287
- Corrections department, facilities, issuance authorized: *Sub HB 808, CH 23 E1 (1982)
- Court congestion account, created, congestion reduction act, enacted, bond proceeds, administrator for the courts, bonds issuance authorized: Sub SB 3110

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

STATE FINANCE COMMITTEE – BONDS—cont.

- Court facilities, construction, improvement, general obligation bonds issuance authorized, court construction account created, court congestion reduction act, enacted: Sub SB 3110
- Psychiatric facility, acute care, authorized, DSHS appropriation: SB 4752
- Scenically fragile lands, public lands commissioner acquisition directed, conditions prescribed, survey, criteria, bonds authorized, referendum provision: SB 3719, Sub SB 3719, 2nd Sub SB 3719
- Social and health services department, issuance authorized: *Sub HB 808, CH 23 E1 (1982)
- Taxing districts, tax increment obligations, authorized, conditions prescribed, constitutional contingency: SB 4119, Sub SB 4119

STATE GOVERNMENT (See also STATE FINANCE COMMITTEE – BONDS)

- Allotments, as specified, governor revision authority, ways and means committees requirement: Sub SB 4265
- Appropriations, modified: Sub SB 4264, *Sub SB 4369, CH 50 E1 (1982)
- Appropriations, reduced: *Sub HB 811, CH 14 E2 (1981)
- Appropriations, remodeling, relocation, air conditioning, expenditure prohibitions, LBC approval requirements, sec 1 (vetoed): Sub HB 811
- Auditing services revolving fund, agencies, payment requirements, sec 21: *Sub HB 811, CH 14 E2 (1981)
- Audits, private accounting firms, use permitted, competitive bid requirement: Sub HB 857
- Audits, private accounting firms, use permitted, competitive bid requirement, limitations, examinations, fees: Sub HB 857
- Budget, balanced, each biennium, state duty: Sub HJR 13
- Budget, operating, 1981–83 biennium, modified: Sub SB 4264, Sub SB 4374, SB 4384, *Sub SB 4369, CH 50 E1 (1982)
- Budget, operating, 1981–83 biennium, reduced: *Sub HB 811, CH 14 E2 (1981)
- Budget stabilization account, establishment directed, appropriations, fiscal emergencies, retirement systems assets, revenues, biennium credit: Sub HJR 13
- Budget stabilization account, transfers, deposits, appropriation requirements, expenditures, effective certain unemployment rate, uses specified: Sub HB 1109
- Budget stabilization account, transfers, deposits, legislative appropriation requirements, expenditures, uses specified: *Sub HB 1109, CH 36 E1 (1982)
- Budget, 10.1% reduction, net savings, reserve status requirements, sec 22: *Sub HB 811, CH 14 E2 (1981)
- Budget, 10.1% reduction, sec 20: *Sub HB 811, CH 14 E2 (1981)
- Buildings, publicly owned, leased, design, renewable energy systems consideration: *SB 3156, CH 159 (1982)
- Civil service, exempt positions, number increased: SB 4563
- Constitution, obsolete provisions, as specified, removed: SJR 142
- Credit cards, taxes, fees, fines, payment use, authorized: SB 4364
- Credit cards, use authorized, GA director rules adoption: *SB 4705, CH 45 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

STATE GOVERNMENT—cont.

- Debts, public, collection agencies, use permitted: SB 4476, *HB 844, CH 65 (1982)
- Deferred compensation plans, risk, state, committee members, limited: SB 4581
- Deputy directors, appropriation limitation, as specified, corrections department, DSHS exemptions, sec 2 (vetoed): Sub HB 811
- Drug trafficking enforcement unit, appropriation: 2nd Sub HB 603
- Ecology department, abolished, functions, property transferred, natural resources department: SB 4379
- EFSEC, powers, duties, membership, fees, intervenors, revisions: SB 4508
- Emergency management, select committee, establishment, program consideration, members, report: SCR 142
- Energy conservation, energy renewable resources, loans authorized: SJR 111, Sub SJR 111, 2nd Sub SJR 111
- Executive branch, reorganization facilitation: SJR 139, SUB SJR 139
- Facilities, energy audits, conditions specified, GA departmental duties: *2nd Sub HB 658, CH 48 (1982)
- Ferry system, operations, funding repealed, Puget Sound ferry account abolished: SB 4657
- Former state employees, firms agency had business with, restrictions specified: SB 4702
- Forms management, center, staffing authority, GA director, agencies, cost-effective measures required: SB 4559
- Forms management, procedures updated: SB 3020
- Forms reduction act, licensing, labor and industries, revenue departments requirements, noncomplying agency reports: *SB 4559, CH 214 (1982)
- FTE equivalents, hiring practices, conditions specified: 2nd Sub HB 124
- Funds, cash flow, estimates, management, OFM designated agency, rules adoption authority: SB 4380, *Sub HB 773, CH 4 E2 (1981)
- Historic property, use, general administration director responsibilities: SB 3028
- Incentive pay, productivity board created, conditions specified: Sub HB 837
- Incentive pay, productivity board created, conditions specified, personnel department appropriation: *Sub HB 837, CH 167 (1982)
- Inmate labor, state facilities, maintenance work, corrections, GA departments, legislative report required: HB 768
- Insurance, proprietary coverage, purchase, other than UW, risk management office, required: HB 933, SB 4564
- Land, leases, negotiated, commercial, industrial, residential purposes, permitted, notice requirement: Sub SB 4668
- Land, sales, natural resources board, designated agency: Sub SB 4164
- Leave-without-pay program, governor authority: Sub HB 1226
- Lobbying activities, restrictions imposed, as specified: SB 4850
- Maintenance, operation, private sector contracts, permitted, financial savings provision: SB 3407
- Paper, recycled, purchase preference, GA director rules adoption: *Sub HB 259, CH 61 (1982)
- Parking, state employees, official business, away from designated post, contracting authorized, reimbursement prohibition provision: SB 4447
- Pharmacy board, diversion investigation unit, appropriation: 2nd Sub HB 603

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

STATE GOVERNMENT—cont.

- Planning and community affairs agency, reorganized, office of community programs, functions, duties, antipoverty programs, sunset termination: SB 4586, Sub SB 4586
- Printing services, total copy systems services, sheltered workshops, day training centers, group training homes, use required, higher education exemption: *Sub HB 1024, CH 164 (1982)
- Productivity board, created, employee suggestion program, incentive pay administration, conditions specified, personnel department appropriation: *Sub HB 837, CH 167 (1982)
- Property, private, regulation, challenges, litigation expenses, as specified: SB 4989
- Public service commission, name changed from utilities and transportation commission: SB 3898
- Public works, domestic wood products, purchase required, OFM rules adoption, exemptions: SB 4823
- Real estate, general administration department, authority defined, exempt agencies specified: *Sub HB 810, CH 41 (1982)
- Records, public, preservation, destruction, provisions modified: *HB 357, CH 36 (1982)
- Reduced worktime program act: SB 4849
- Retirement, early, OFM study requirements: *2nd Sub HB 124, CH 54 E1 (1982)
- Retirement, early, PERS, TRS, WSP, conditions specified, expiration date provision: SB 4495
- Retirement, early, PERS, TRS, WSP, HERS, conditions specified, expiration date provision, TRS fund appropriation: *2nd Sub HB 124, CH 54 E1 (1982)
- Rules, administrative, statutes, simple, clear, concise language requirement, Flesch reading ease test, minimum score requirement: Sub HB 835
- Rules, agencies, filing procedures revised, obsolete rules review requirement: *SB 4660, CH 221 (1982)
- Rules, agency review requirements, continuation requirements prescribed, readable language, statutory purpose, advice to public, toll-free telephone number, checks, audits: SB 4858
- Rules, proposed, review committee responsibility: SB 3269
- Rules review, procedures prescribed: *HCR 52 E1 (1982)
- Salaries, employees, officials, higher than governor's, prohibited: SB 4615
- Salaries, increases, appropriation decrease, salary, incremental fringe benefit increase allocation deleted, 5% decrease, April, 1982, required: SB 4611
- Salaries, increases, time frame revised, sec 15: *Sub HB 811, CH 14 E2 (1981)
- Salaries, increases, upper limit established, sec 15, sec 76 (vetoed): Sub HB 811
- State agencies, as designated, license, regulatory requirements, review, reports: SB 4679, *Sub HB 878, CH 182 (1982)
- Tax revenues, state, growth restriction: SJR 113, Sub SJR 113
- Transition trust lands revolving fund act, DNR appropriation: Sub SB 4664
- Travel, lodging expenditures, reduction requirements, sec 24 (vetoed): Sub HB 811
- Urban lands, state-owned, program, sell, lease, or develop, commissioner, requested, budget shortfall purposes: SCR 111

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

STATE GOVERNMENT—cont.

- Utilities and transportation commission, members, nonpartisan state-wide elected officials provision, election requirements specified: SB 4591
- Utilities and transportation commission, name changed to public service commission: SB 3898

STATE HISTORICAL SOCIETY

- Centennial commission, established: Sub SB 3031

STATE INVESTMENT BOARD

- Champeaux, Gloria M, member: GA 501 . 11; GA 573, confirmed . 435,610,887
- Investments, state economy stimulation, urged: *HCR 37 E1 (1982)
- Mitchell, Dale, member, SPI appointment: GA 483, confirmed . . (1981), 609,864
- Panther, Chief Robert D, member: GA 502, confirmed 12,609,868
- Rogers, Jack H, member: GA 473, confirmed (1981), 609,862
- State investment board commingled trust fund, established, separate accounts, authorized: *SB 4644, CH 58 (1982)

STATE LIBRARY

- Records, public disclosure exemption: SB 4683, Sub SB 4683, *Sub HB 476, CH 64 (1982)

STATE LOTTERY

- Establishment, gambling commission, lottery director powers, fund and revolving fund created, appropriation: SB 4519
- Establishment, gambling commission, lottery supervisor powers, fund and revolving fund created, appropriation: SB 4475
- Establishment, gambling commission, services, fund and revolving fund created, referendum provision, appropriation: 2nd Sub HB 1103

STATE PARKS (See also PARKS AND RECREATION COMMISSION, also URBAN STATE PARKS)

- Boat moorage fee program, establishment, selected parks, parks and recreation commission appropriation: HB 865, SB 4485, *Sub SB 4369, CH 50 E1 (1982)
- Campsite reservation, information system, parks, recreation commission establishment, rules adoption, appropriation: SB 3612
- Improvements, volunteer work: *SB 4477, CH 156 (1982)
- Rangers, entry level, civil service probationary requirements revised: *SB 4307, CH 79 (1982)

STATE PRINTER

- Common school code, SPI publication implementation, sales proceeds distribution: SB 3241
- Sheltered workshops, day training centers, group training homes, use requirements: *Sub HB 1024, CH 164 (1982)

STATE REGISTER

- Assessments, increased, notice publication, state register, newspapers: HB 947, SB 4439, Sub SB 4439
- Rules, nonconforming, suspensions, state register publication: SB 3269

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

STATE TREASURER

- Budget, balanced, each biennium, state duty: Sub HJR 13
- Budget stabilization account, establishment directed, appropriations, fiscal emergencies, retirement systems assets, revenues, biennium credit: Sub HJR 13
- Budget stabilization account, transfers, deposits, appropriation requirements, expenditures, effective certain unemployment rate, uses specified: Sub HB 1109
- Certificates of deposit, allocation alteration authorized, as specified: *SB 4506, CH 74 (1982)
- Community college education board, vendor payments, duties specified: SB 4732, *HB 1036, CH 50 (1982)
- Financial reporting system, agency, integrated, appropriation specified, sec 17: Sub SB 4264, *Sub SB 4369, CH 50 E1 (1982)
- Fire protection districts, contiguous property subject to leasehold excise tax, annexation authorized, conditions specified: Sub SB 3512
- Fire protection districts, leasehold excise tax distribution: SB 3512
- Funds, state, surplus, investment authority extended: *SB 4507, CH 148 (1982)
- Geothermal account, created, expenditures, distribution requirements: Sub SB 3779
- Geothermal fund, created, federal funds, as defined, deposit required, county mitigation, geothermal assessment, geothermal development accounts created, distribution percentages prescribed: SB 3779
- Municipalities, local sales and use tax revenues, monthly distribution provisions: SB 4739
- Property sales, proceeds, not certified by ESD superintendent, real estate excise tax purposes, state treasury remission: *HB 964, CH 176 (1982)
- Public disclosure, property ownership, income tax returns, current net worth statement, required: SB 3530

STATUTE LAW COMMITTEE

- Session laws, house, senate journals, distribution requirements: HB 1080, *SB 4717, CH 32 E1 (1982)

STATUTE OF LIMITATIONS

- Irrigation districts, real property recovery, exemption: Sub HB 932
- Legislative ethics, jurisdiction, former legislators, employees, inclusion, statute of limitations: SB 3921

STEELHEAD TROUT

- Salmon enhancement activities, congressional appropriations requested: SJM 114
- Salmon enhancement activities, support program, fisheries department, development requested: SCR 125

STERN, BERNICE

- Member, state transportation commission, GA 526, confirmed 18,575,874

STEVENS COUNTY

- Judicial district, new position, one-half salary payment requirement: *Sub SB 4449, CH 139 (1982)

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) . . . Passed during 1981 Second Special Session.
- E1 (1982) . . . Passed during 1982 First Special Session.
- E2 (1982) . . . Passed during 1982 Second Special Session.

STIMPSON, CATHARINE C.

Member, board of trustees, Whatcom community college
 district 21, GA 477, confirmed (1981), 417,863

STOCKS AND STOCKHOLDERS (See also SCURITIES)

Banks, investments, production credit associations, federal intermediate credit
 banks, federal land banks, stock, participation certificates, authorized: *HB
 1074, CH 86 (1982)

Banks, investments, production credit associations, federal land banks, stock, par-
 ticipation certificates, authorized: HB 1074

Trust companies, investments, production credit associations, federal intermediate
 credit banks, federal land banks, stock, participation certificates, authorized:
 *HB 1074, CH 86 (1982)

STREETCARS

Electric, operating on rails within city, chartering authorized: *SB 4952, CH 103
 (1982)

STRIKES (See also LABOR AND LABOR RELATIONS)

Ferry system, employees, labor relations provisions revised, marine employees
 commission created: SB 4609, Sub SB 4609

Health care services, premiums, labor disputes, contract holder payment required:
 *SB 3795, CH 149 (1982)

Unemployment compensation, disqualification, labor dispute, modified, exclusion
 conditions: HB 660

Unemployment compensation, disqualification, labor dispute, modified (vetoed):
 HB 660, SB 3944

STUDENTS (See also SCHOOLS AND SCHOOL DISTRICTS;**TUITION AND FEES - HIGHER EDUCATION)**

Abuse prevention programs, SPI adoption urged: SCR 134

Abuse prevention programs, SPI guidelines, curriculum development directed:
 Sub SCR 134

ASB funds, use, scholarship, charitable purposes; allowed, not considered public
 funds: SB 3617, *Sub SB 3617, CH 231 (1982)

Athletic scholarships, higher education, tuition, fee waivers: Sub SB 3237

Blind, needy, disadvantaged, resident, higher education tuition, fee waivers: Sub
 SB 3347

British Columbia reciprocity program, tuition, fees: SB 4694

College facilities, living in, persons of legal age, requirement prohibited: Sub HB
 148

Direct student service programs, ESD establishment authorized: *HB 401, CH
 46 (1982)

Education, state control, individuals, church education ministries, certain, exclu-
 sion: SB 4613

Exceptional educational ability, higher education tuition, fee waiver, conditions
 prescribed: Sub SB 3347

Graduates, 1982, higher education institution enrollment after March 29, 1982,
 authorized: SB 4511

Handicapped children program, eligibility extended, programs, children under
 three permitted: Sub SB 3912

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

STUDENTS—cont.

- Handicapped children program, redesignated, handicapped students, eligibility extended, special aid limitations, programs, children under three permitted: SB 3912
- High school education completion, foster care, persons 18–20, continuance authorized: SB 4645, *Sub HB 848, CH 118 (1982)
- Higher education institutions, miscellaneous changes prescribed, council for post-secondary education student financial aid supplementation appropriation: *2nd Sub HB 784, CH 37 E1 (1982)
- Idaho, tuition, fees reciprocity authorized, net revenues loss computation: HB 461
- Kindergarten, school year defined: *SB 3587, CH 158 (1982)
- National history contest, participation, trade, industry, Eastern airlines support, May 8, 1982, history day, declaration: *SCR 146 (1982)
- Needy, disadvantaged children of veterans, disabled, killed, higher education tuition, fee waivers: Sub SB 3347
- Oral medication, administration, school personnel, authorized, conditions prescribed, liability exemption: Sub SB 3541, *2nd Sub SB 3541, CH 195 (1982)
- Postsecondary student assistance programs, federal funds, further reductions opposition petitioned: SJM 118, *Sub SJM 118 (1982)
- Program objectives, comparable testing results, schools, descriptive guide inclusion requirement deleted: Sub HB 770
- Public assistance, schooling or training, completion authorized, aid considered repayable debt: *2nd Sub HB 756, CH 10 E2 (1981)
- Religious teaching certificates, special, graduates, certain nonaccredited institutions with religious affiliations, authorized: Sub SB 4238
- Scholars program, high school seniors, program development, selection, awards ceremonies, CPE appropriation: SB 3635
- Schools, property damage, liability: *Sub HB 462, CH 38 (1982)
- Standardized student testing program, grade 4, not required, 1981–83 biennium: Sub HB 770
- Standardized student testing program, statutory authority removed: Sub HB 770
- Student learning objectives, identification, obsolete language deleted: Sub HB 770
- Student/teacher ratio standard provisions removed: SB 3588
- Transportation, school districts, apportionment, distribution provisions implemented, SPI legislative report required: *Sub SB 4675, CH 24 E1 (1982)
- Transportation, school districts, five-year contracts authorized: SB 4650
- Transportation, school districts, five-year contracts authorized: *Sub HB 849, CH 191 (1982)
- Veterans, operating, services, activities fees increase, waiver: Sub SB 3347

STUDIES

- Accreted land, Toutle, Cowlitz rivers, deposits, DNR impact study, report requirements: Sub SB 3824
- Beer, wine sales, state liquor stores, authority removal, LBC fiscal impact study directed, appropriation: Sub HB 1039
- Education, higher education, LBC appropriation conditions: *Sub SB 4369, CH 50 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

STUDIES—cont.

- Facilities, state, energy audits, conditions specified, GA departmental duties:
 - *2nd Sub HB 658, CH 48 (1982)
- Hiring limits implementation, OFM study requirements (vetoed): 2nd Sub HB 124
- Hiring policies, implementation, OFM study directed (vetoed): 2nd Sub HB 124, Sub HB 1226
- Obsolete laws, recommendations, code reviser, directed: SCR 136
- Oil and gas joint committee formation, search, development, current laws study, report: *HCR 50 E1 (1982)
- Retirement, early, impacts, OFM study requirements: *2nd Sub HB 124, CH 54 E1 (1982)
- Revenue department, nonresident permits tax gain study, directed: *Sub HB 840, CH 5 E1 (1982)
- Veterans' memorial parks, cemeteries, establishment, veterans affairs department, feasibility study directed, report requirement: HB 836

SUBDIVISIONS

- Land, division, time extensions, certain, plat approval procedures, local ordinance adoption authority: Sub HB 1134
- Land, division, preliminary plats, three-year approval period, retroactive applicability: Sub HB 1134
- Near airports, DOT secretary notification required: *HB 330, CH 23 (1982)

SUBPOENA

- Licensing department director, hearing aid violations, power granted: Sub HB 1150

SUBSIDIES

- Deinstitutionalization subsidy program, parents of institutionalized persons, created, conditions specified, DSHS secretary duties: SB 4847

SUGAR AND SUGAR BEETS

- Commercial feed act, revisions: *Sub HB 1131, CH 177 (1982)

SUGGESTION AWARDS

- Productivity board, created, state employees suggestion program, incentive pay administration, conditions specified, personnel department appropriation: *Sub HB 837, CH 167 (1982)

SULLIVAN, JEFFREY C.

- Member, state jail commission, GA 504, confirmed 12,575,868

SUMMONS AND PROCESS (See also WARRANTS – LEGAL)

- Civil actions, defendant, not to be found in county, prima facie evidence, not to be found in state, provision deleted: SB 3715
- Local improvement districts, delinquent assessment foreclosure, summons requirement, alternative method repealed: *Sub HB 823, CH 91 (1982)
- Unlawful detainer actions, procedures, bond requirement, modified: SB 4556

SUNDRY CLAIMS

- Allemandi, Joe A, sec 102 (1): *Sub SB 4369, CH 50 E1 (1982)
- Allinson, Inc, sec 102 (8): *Sub SB 4369, CH 50 E1 (1982)

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) Passed during 1981 Second Special Session.
- E1 (1982) Passed during 1982 First Special Session.
- E2 (1982) Passed during 1982 Second Special Session.

SUNDRY CLAIMS—cont.

- Arlington convalescent center and United nursing homes, sec 100 (21): *Sub HB 811, CH 14 E2 (1981)
- Better Building Supply Corp, sec 100 (12): *Sub HB 811, CH 14 E2 (1981)
- Buchanan, Martin, sec 100 (7): *Sub HB 811, CH 14 E2 (1981)
- Coburn, Gerald B, estate, sec 100 (2): *Sub HB 811, CH 14 E2 (1981)
- Czyhold, Richard, sec 100 (7): *Sub HB 811, CH 14 E2 (1981)
- Deiro, Phil Louis, sec 100 (3): *Sub HB 811, CH 14 E2 (1981)
- Dellinger, J C, sec 100 (11): *Sub HB 811, CH 14 E2 (1981)
- Dillon, Mabel G, sec 102 (3): *Sub SB 4369, CH 50 E1 (1982)
- Eldridge, Don, sec 100 (13): *Sub HB 811, CH 14 E2 (1981)
- Farrel, James F, sec 100 (7): *Sub HB 811, CH 14 E2 (1981)
- Farrens, Dean, sec 100 (7): *Sub HB 811, CH 14 E2 (1981)
- Filan, Arne, sec 100 (7): *Sub HB 811, CH 14 E2 (1981)
- Filan, Leon, sec 100 (7): *Sub HB 811, CH 14 E2 (1981)
- Financial management, office of, sec 102 (10): *Sub SB 4369, CH 50 E1 (1982)
- Fischer, Eugene Victor, sec 100 (17): *Sub HB 811, CH 14 E2 (1981)
- Fletcher, Hallie, sec 102 (2): *Sub SB 4369, CH 50 E1 (1982)
- Folden, William, sec 102 (6): *Sub SB 4369, CH 50 E1 (1982)
- Foster, Pepper & Riviera trust account, sec 100 (8): *Sub HB 811, CH 14 E2 (1981)
- Ganguet, Elie, sec 100 (7): *Sub HB 811, CH 14 E2 (1981)
- Gutierrez, Rudolfo, sec 100 (4): *Sub HB 811, CH 14 E2 (1981)
- Hammond, Ruth, sec 100 (15): *Sub HB 811, CH 14 E2 (1981)
- Hendrickson, Don G, sec 100 (5): *Sub HB 811, CH 14 E2 (1981)
- Hittle, Leroy M, sec 100 (13): *Sub HB 811, CH 14 E2 (1981)
- Hood, Jack C, sec 100 (13): *Sub HB 811, CH 14 E2 (1981)
- Hug, David, sec 100 (6): *Sub HB 811, CH 14 E2 (1981)
- Insley, Best, Chapin, Uhlman & Doezie, P.S., sec 102 (7): *Sub SB 4369, CH 50 E1 (1982)
- Katsel, Earnest, sec 100 (7): *Sub HB 811, CH 14 E2 (1981)
- Living Services, Inc, sec 102 (5): *Sub SB 4369, CH 50 E1 (1982)
- Lyons, Andrew, sec 100 (7): *Sub HB 811, CH 14 E2 (1981)
- Meiners, Donald D, sec 100 (7): *Sub HB 811, CH 14 E2 (1981)
- Morgan, Penelope A, sec 100 (14): *Sub HB 811, CH 14 E2 (1981)
- Morris Ganguet Farms, Inc, sec 100 (7): *Sub HB 811, CH 14 E2 (1981)
- O'Brien, Malcolm Seater, sec 100 (16): *Sub HB 811, CH 14 E2 (1981)
- Rustvold, Donald W, sec 100 (18): *Sub HB 811, CH 14 E2 (1981)
- Schwerin Farms, Inc, sec 100 (7): *Sub HB 811, CH 14 E2 (1981)
- Sexton, Jeremiah B, sec 100 (10): *Sub HB 811, CH 14 E2 (1981)
- Shafer, Melvina A, sec 100 (9): *Sub HB 811, CH 14 E2 (1981)
- Smith, Howard, sec 100 (7): *Sub HB 811, CH 14 E2 (1981)
- Social and health services department, sec 100 (20): *Sub HB 811, CH 14 E2 (1981)
- Spokane Community College, sec 102 (9): *Sub SB 4369, CH 50 E1 (1982)
- Sponburgh, Garland, sec 100 (13): *Sub HB 811, CH 14 E2 (1981)
- The Evergreen State College, sec 100 (19): *Sub HB 811, CH 14 E2 (1981)
- Tjarnberg Brothers orchard, sec 102 (4): *Sub SB 4369, CH 50 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

SUNDRY CLAIMS—cont.

United nursing homes and Arlington convalescent center, sec 100 (21): *Sub HB 811, CH 14 E2 (1981)

SUNSET ACT

- Accountancy board, sunset termination date established: SB 4626, *Sub HB 875, CH 223 (1982)
- Archaeology and historic preservation advisory council, inclusion: HB 960, SB 4565
- Emergency services department, sunset termination date established: SB 4626, *Sub HB 875, CH 223 (1982)
- Geographic names board, members, terms specified, provision revised: HB 527, SB 3648, Sub SB 3648, SB 4988
- Hospital commission, sunset termination date established: *Sub HB 875, CH 223 (1982)
- Model litter control and recycling program, sunset termination date established (vetoed): Sub HB 875
- Pharmacy board, sunset termination date established: SB 4626, *Sub HB 875, CH 223 (1982)
- Planning and community affairs agency, reorganized, office of community programs, functions, duties, antipoverty programs, sunset termination: SB 4586, Sub SB 4586
- Speech-language pathologists and audiologists act, enacted, licensing regulations, termination date: SB 3603, Sub SB 3603
- State lottery, revenues apportionment, termination date specified, LBC effectiveness evaluation, report requirements: 2nd Sub HB 1103
- Termination date extended: *Sub HB 875, CH 223 (1982)
- Unemployment compensation, joint committee, created, responsibilities, report, members, termination: SB 4596
- Veterans affairs department, sunset termination date established: SB 4626, *Sub HB 875, CH 223 (1982)

SUPERINTENDENT OF PUBLIC INSTRUCTION (See also SCHOOLS AND SCHOOL DISTRICTS)

- Abuse prevention programs, adoption urged: SCR 134
- Abuse prevention programs, guidelines, curriculum development directed: Sub SCR 134
- Appointment, governor: SJR 135
- ASB program funds, scholarship, charitable purposes, use authorized, funds defined: SJR 137
- Attendance incentive program, school employees, buy-back authority repealed, sick leave accumulation established: SB 4383
- Bond issues, certain, forty percent validation requirement removed, constitutional contingency: HB 997
- Certificated personnel, certificates, registration refusal, revocation, SPI initial appeal conditions prescribed: SB 3336
- Classroom contact hours, direct, certain requirement removed: SB 3588
- Code, common school, publication implementation, sales proceeds distribution: SB 3241

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

SUPERINTENDENT OF PUBLIC INSTRUCTION—cont.

- Community participation, economic use of resources, reporting, obsolete language deleted: Sub HB 770
- Displaced homemaker program, agency services description, marriage license fee, additional imposed, postsecondary education council appropriation: *HB 286, CH 15 E1 (1982)
- Drugs, alcohol, effects, 7th, 8th grade health courses, curriculum requirement: SB 3724
- Education board, state, position redefined: HB 1129, SB 4917, *Sub SB 4917, CH 160 (1982)
- Education enrichment block grant act, enacted, program consolidation: SB 4693, Sub SB 4693
- Educational policies, structure, management committee, temporary, created, members, duties, report, termination, appropriation: *SB 3609, CH 33 E1 (1982)
- Educational service districts, funds, apportionment schedule modified, appropriation: *Sub SB 4502, CH 136 (1982)
- Educational service districts, funds, proportional distribution, certain months, modified: SB 4502, Sub SB 4502
- ESD's abolished, duties transferred, property, library, transportation provisions: SB 4731
- Federal forest revolving fund, created, distribution, apportionment provisions: SB 4480, Sub SB 4480, *Sub HB 868, CH 126 (1982)
- Forty percent validation, bond elections, certain, validation requirement removed, constitutional contingency: HB 997
- Forty percent validation, excess levy elections, requirement removed: HJR 20
- Four-day week, pilot program, authorized, objectives stated, SPI duties: HB 1000
- Funds, general expense, special purpose, use procedures establishment directed: HB 188, SB 3242
- Industrial insurance, self-insurers, educational service districts, school districts, authorized: SB 3757, SB 4648, Sub SB 4648
- Levies, excess, authority phaseout schedule: SB 3848
- Levies, excess, forty percent validation requirement removed: HJR 20
- Levies, excess, limitation, exceeding, phaseout: Sub SB 3848
- Levies, excess, maintenance and operation, increase authorized: SB 4623
- Mitchell, Dale, state investment board member, SPI appointment: GA 483, confirmed (1981), 609,864
- Nonhigh districts, high school accounts abolished, funds distribution: SB 3449
- Occupational information service, employment security department, designated agency, conditions specified: SB 4628, *Sub HB 920, CH 43 (1982)
- Paperwork reduction coordination, administrative reporting, schools, directed: SB 3588
- Permanent insurance fund, first class districts, coverage, scope enlarged: SB 4647
- Powers, duties, delegation authority: SB 4960
- Program hour offerings, basic, work skills, minimum percentage requirements removed: SB 3588
- Program objectives, comparable testing results, schools, descriptive guide inclusion requirement deleted: Sub HB 770

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

SUPERINTENDENT OF PUBLIC INSTRUCTION—cont.

- Pupil transportation, vehicles, purchase, borrowing, negotiable coupon bonds issuance, authorized: Sub HB 770
- Retirement contributions, appropriation: SB 4424
- Salary increases, fringe benefit increases, time frame revised, sec 76: *Sub HB 811, CH 14 E2 (1981)
- Salary increases, upper limit established, sec 76 (vetoed): Sub HB 811
- School districts, certain, accounts, records, ESD inspection requirement removed: HB 188, SB 3242
- School facilities, existing, energy conservation program, SPI, energy office, ESD's cooperation, conditions specified, funds use, rules, appropriation: Sub SB 3277
- Scoliosis screening, program reduction prohibition, as specified, sec 74: *Sub HB 811, CH 14 E2 (1981)
- Sexual abuse, children, prevention, special curriculum development directed: SCR 124
- Standardized student testing program, grade 4, not required, 1981-83 biennium: Sub HB 770
- Standardized student testing program, statutory authority removed: Sub HB 770
- Student learning objectives, identification, obsolete language deleted: Sub HB 770
- Student/teacher ratio standard provisions removed: SB 3588
- Student transportation, report to legislature required: *Sub SB 4675, CH 24 E1 (1982)
- Surplus property, disposition requirements prescribed, private school rights provision: SB 3753, Sub SB 3753
- Vocational education commission, membership removed, funding analysis to vocational education commission, required: SB 4738, Sub SB 4738
- Vocational education, functions, federally required, certain, redefined: SB 4725
- Vocational education, professional staff, support personnel, transferred, commission for vocational education: SB 4738, Sub SB 4738
- Vocational-technical institutes, cost of instruction, approved, SPI notification to institute requirement: Sub SB 3929

SUPERIOR COURTS

- Arbitration, jurisdiction, district, superior courts: SB 4695, *HB 897, CH 122 (1982)
- Civil actions, mandatory arbitration, dollar amount increased: *Sub HB 887, CH 188 (1982)
- Court congestion reduction act: Sub SB 3110
- Guardian, public, counties, position creation authorized, conditions specified: SB 4740
- Industrial insurance appeals board, decisions, appeals, procedures prescribed: SB 4947
- Industrial insurance appeals board, de novo jury trials deleted, oral arguments, written briefs requirement: SB 4767
- Judge, Jefferson county, authorized, salary, county payment: *Sub SB 4449, CH 139 (1982)
- Judges, Clallam county, two authorized, salary, county payment: *Sub SB 4449, CH 139 (1982)
- Judges, Clallam/Jefferson counties, jointly, number increased: SB 4449

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

SUPERIOR COURTS—cont.

- Judges, Ferry, Stevens, Pend Oreille counties judicial district, new position, salary, one-half payment by counties, required: *Sub SB 4449, CH 139 (1982)
- Juveniles, bail forfeiture program, authorized, conditions specified: SB 4444
- Juveniles, handling, methods modified: SB 4733
- Local government master program adjustments, review provisions, as specified, APA exemption, as specified: Sub HB 1098
- Pistol regulations, local control preempted, regulations prescribed, vote of the people required: SB 4923
- Police courts, city, appellate procedures revised: SB 4489
- Savings and loan associations, cease and desist orders, review, enforcement, jurisdiction: Sub HB 833, SB 4662
- Sentencing, after appeals, police court: SB 3069
- Sentencing, after appeals, police court, supreme court rule, trial de novo provision: SB 3069
- Social and health services financial responsibility act: Sub HB 759

SUPPORT AND SUPPORT ENFORCEMENT

- Children, unemployment compensation, child support obligations, disclosure, new claimants, required, deduction as specified, required: HB 1033, SB 4661, *Sub SB 4216, CH 18 E1 (1982), *Sub SB 4418, CH 201 (1982)
- Fees, application, owner's: Sub HB 759, *Sub SB 4418, CH 201 (1982)
- Social and health services financial responsibility act, enacted, recipients, responsible persons, conditions: Sub HB 759

SUPREME COURT

- Court congestion reduction act: Sub SB 3110
- Discovery rules, courts of limited jurisdiction, adoption requirement: Sub SB 3110
- Federal reserve, audit, independent, requirement, U.S. supreme court, action, state, intent declared: *SCR 127 (1982)
- Federal reserve, money, power to create, delegation, challenge, U.S. supreme court, action, state, intent declared: *SCR 127 (1982)
- Fees, allowable costs, increased: Sub SB 3110
- Fees, attorneys, prevailing party, increased: Sub SB 3110
- Judges, pro tempore, appeals court judges, service permitted: *SB 4491, CH 72 (1982)
- Police court, appeals, sentencing, supreme court rule, trial de novo provision: SB 3069
- Police courts, city, appellate procedures revised: SB 4489
- Recall, duties clarified: SB 4587
- Redistricting commission, independent, establishment authorized, conditions, duties: SJR 136
- Redistricting commission, jurisdiction: Sub SJR 108, SJR 119
- Settlement conference rules, adoption requirement: Sub SB 3110
- Voting boundary commission act, redistricting, reapportionment standards, powers, duties: SB 4426, *Sub HB 787 CH 2 (1982)

SURCHARGES

- Taxes, except property, imposed: Sub SB 4368

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

SURCHARGES—cont.

Taxes, except property, timber harvesters, imposed: *SB 4250, CH 35 E1 (1982)

SURETY BONDS

Contractors, actions, district court, authorized: SB 3115

Contractors, actions, district court, authorized, small claims department exclusion: SB 3115

Contractors, public works projects, provisions revised: SB 4555, *Sub SB 4200, CH 98 (1982)

Contractors, requirements established: SB 4631

Contractors, reserved funds, bond in lieu permitted: *Sub HB 931, CH 170 (1982)

Fireworks, requirements revised: SB 4597, Sub SB 4597, *Sub HB 1149, CH 230 (1982)

Health maintenance organizations, financial procedures, funded reserves, surety bond requirements revised: *SB 4701, CH 151 (1982)

Hearing aids, licensees regulations revised, continuing education, surety bond, trainee, sales restrictions requirements specified: Sub HB 1150

Irrigation districts, certain, contract payments implementation: HB 198

Livestock dealers, additional bond requirement: *Sub SB 4438, CH 194 (1982)

School districts, first class, honest performance bonds, deductible inclusion: *Sub HB 849, CH 191 (1982)

Unlawful detainer actions, procedures, bond requirement, modified: SB 4556

SURPLUS PROPERTY

Real estate, state, general administration department, director, authority defined, exempt agencies specified: *Sub HB 810, CH 41 (1982)

Salmon, fisheries department sale, authorized, senior citizens, general public, conditions, penalties prescribed: SB 4479

School districts, disposition requirements prescribed, private school rights provision: SB 3753, Sub SB 3753

SURVEYORS AND SURVEYING

Professional engineers, land surveyors, registration board, disciplinary powers, maximum fine: *HB 442, CH 37 (1982)

SURVEYS

Fees, DNR, authorized, engineering services division duties: *Sub HB 1012, CH 165 (1982)

Public land, official plats, certified copies, county auditor recording, DNR appropriation: HB 641

SWINE

Sales, no implied warranties provision: *SB 4436, CH 199 (1982)

TACOMA COMMUNITY COLLEGE DISTRICT NO. 22, BOARD OF TRUSTEES

Faulk, Lawrence J, member: GA 484, confirmed (1981), 418,864

Hunt, Robert E Jr, member: GA 569, confirmed 392,545,886

TAGS

Mountain sheep, fees increased, nontransferable, refund provision: SB 3884

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

TAILINGS

Uranium, thorium, milling defined: *SB 3425, CH 78 (1982)

TALLEY, SENATOR DON L.

Point of inquiry, may leave floor, SHB 774, if prefers not to vote 189

TALMADGE, SENATOR PHIL

Personal privilege, regarding redistricting 1841
 Point of inquiry, Senator Hayner, deal with jobs, fiscal matters 712-713
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 Statement for journal, excused absence, March 4, 1982,
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TASK FORCES

Court congestion, established, members, duties, reimbursement, report submission: *HB 864, CH 187 (1982)
 Manufactured home advisory, planning and community affairs agency, establishment directed, members, report, assistance, appropriation: Sub SB 3308
 Public investment, established, members, duties, interim, final reports, termination, appropriation: SCR 147

TAVERNS

Food pick up, persons over 18, allowed, unless locally prohibited, or adult entertainment present: Sub HB 1063

TAX APPEALS, BOARD OF

Property tax exemptions, changes, assessed value, appeal allowed: Sub HB 961
 Taxes, excise, property, technical provisions, procedures modified: SB 4955

TAXES - AIRCRAFT EXCISE

Modified, revenue department collection schedule preparation: SB 4497

TAXES - AIRCRAFT FUEL EXCISE (See also TAXES - EXCISE)

Rate, computation requirement specified, effective period, gallonage rate specified, exemptions, deposit requirements: SB 3946
 Rate, established, exemptions, DOT aeronautics division, search and rescue appropriations: *Sub SB 3946, CH 25 E1 (1982)

TAXES - ALCOHOLIC BEVERAGES (See also TAXES - SALES AND USE)

Surtax, beer, wine imposed: Sub SB 4368, *SB 4250, CH 35 E1 (1982)
 Surtax, certain sales, imposed: Sub SB 4368
 Wine, grape program, industry research, instruction programs, WSU, tax imposition, disbursement, termination date established: Sub HB 893
 Wine instruction, licensees, wineries, wholesalers, permitted, viticulture, enology study groups, tax payment provision: Sub SB 4526
 Wine, wholesalers, changed: Sub SB 3408

TAXES - BUSINESS AND OCCUPATION (See also REVENUE AND TAXATION, DEPARTMENT OF REVENUE)

Additional, temporary, extended, rate increased: Sub SB 4368
 Cities, limits, increases, surtax termination: *SB 4972, CH 49 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

TAXES - BUSINESS AND OCCUPATION—cont.

- Deduction, amounts earned, investments, dividends, as specified, repealed: SB 4401
- Financial institutions, gross receipts, deduction, international banking facility, conditions prescribed: SB 4115
- Increase, fiscal emergencies, state finance committee authority, as specified: SB 4435
- Increase, prescribed, minimum dollar amount exemption increased: SB 4392
- International banking facilities, gross receipts exemption: *Sub SB 4115, CH 95 (1982)
- Inventories, taxation exemption, reporting, listing exemptions schedule: SB 3402
- Inventory, leased personal property, not remanufactured, property held for lease, rental, definition exclusion: Sub SB 3402, *Sub HB 313, CH 174 (1982)
- Local government, taxing powers prescribed: *SB 4972, CH 49 E1 (1982)
- Motor freight carriers, for hire, multiple taxation, gross receipts allocation principles stated, joint audits permitted: *HB 752, CH 169 (1982)
- Neighborhood assistance act: SB 4915
- Oil and gas severance and conservation tax act: SB 4458
- Remanufacturing, term defined: Sub SB 3402, *Sub HB 313, CH 174 (1982)
- Surtax, temporary, imposed: Sub SB 4368, *SB 4250, CH 35 E1 (1982)
- Surtax, termination specified: *SB 4972, CH 49 E1 (1982)
- Timber, public lands, standing, exemption exclusion: SB 3402
- Unemployment areas, high, as defined, businesses locating, credit allowed, employment security, revenue departments duties, ways and means review: SB 4870
- Wages, certain employees, tax credit granted: SB 4592

TAXES - CIGARETTES AND TOBACCO

- Drug trafficking enforcement unit, criminal justice training commission loan, cigarette tax imposed, appropriation: 2nd Sub HB 603
- Increased, cancer research, funds use, DSHS allocation authority: HB 885, SB 4427
- Increased, cancer research, funds use, DSHS allocation authority, LBC program evaluation, report requirements: HB 885
- Increased, temporarily, as specified: Sub SB 4368
- Surtax, temporary, imposed: Sub SB 4368, *SB 4250, CH 35 E1 (1982)
- Unfair cigarette sales act, renamed, unfair cigarette sales below cost act, license provisions, appropriation: *HB 1092, CH 16 E1 (1982)
- Unfair cigarette sales act, renamed, unfair cigarette sales below cost act, revolving fund created, license provisions: HB 1092

TAXES - CREDITS

- Cogeneration facilities, limitation provisions: SB 4607
- Cogeneration facilities: SB 3394
- High unemployment areas, businesses, as specified, B&O tax credit: SB 4870
- High unemployment areas, businesses, as specified, industrial insurance tax credit: SB 4871
- Neighborhood assistance act: SB 4915
- Pollution control, phase-out deadline established: SB 4393
- Pollution control, terminated: *Sub HB 485, CH 9 E2 (1981)

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

TAXES – CREDITS—cont.

Sales, use taxes, payments, worthless debts, retailers, not required, seller credit, refund provisions: *SB 4250, CH 35 E1 (1982)

Wages, paid certain employees, B&O tax credit granted: SB 4592

TAXES – DEFERRALS

Investment projects, certain, repayment requirements revised, exemption provision: SB 4441

Manufacturing firms, investments, tax payment requirements: SB 4402

Property tax, claimant, redefined, retired person receiving senior citizen or disabled person exemption: Sub HB 506

Property tax, liens, interest rate established: Sub HB 506

TAXES – EXCISE (See also REVENUE AND TAXATION, DEPARTMENT OF REVENUE; TAXES – REAL ESTATE EXCISE; various headings under TAXES)

Aircraft, schedule preparation, collection required, dealer conditions, aircraft tax rate modified: SB 4392

Cogeneration facilities, tax credit limitation provisions: SB 4607

Convention and trade center, local facilities, lodging tax imposed: *Sub HB 1015, CH 34 (1982)

Deed conveyance tax, exempted transactions stated: SB 4038

Hotel, motel, special tax receipts, municipal park facilities, other capital improvements, use authorized: SB 3318

Local government, power granted, conditions prescribed, hearing requirement: SB 4382

Local government, purchase contracts, awarding, local excise tax revenues consideration authorized: HB 1231

Local government, taxing powers prescribed: *SB 4972, CH 49 E1 (1982)

Payments, delinquent, penalty assessment, timetable revised: SB 4392

Penalties, aggregate imposed, increased: SB 4392

Proportional registration, procedures established, when state becomes member of international registration plan: Sub SB 3993

Real property sales, local, imposition authorized, provisions: *SB 4972, CH 49 E1 (1982)

Registration certificate, nonrefundable deposit removed, fee established: *HB 765, CH 4 E1 (1982)

Solid waste disposal districts, establishment authorized, tax levy: *Sub HB 221, CH 175 (1982)

Surtaxes, temporary, imposed, sales, use taxes decreased, food products, reimposed: *SB 4250, CH 35 E1 (1982)

Surtaxes, temporary, imposed: Sub SB 4368

Technical provisions, procedures modified: SB 4955

Titaniferous magnetite, off-shore extraction, imposed: SB 4620, Sub SB 4620

Watercraft, imposed, conditions specified: SB 4688

TAXES – EXEMPTIONS

Aircraft fuel excise tax, rate established, exemptions: *Sub SB 3946, CH 25 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

TAXES - EXEMPTIONS—cont.

- B&O tax, international banking facilities gross receipts: *Sub SB 4115, CH 95 (1982)
- B&O tax, inventories, taxation exemption, reporting, listing exemptions schedule: SB 3402
- B&O tax, remanufacturing, term defined: Sub SB 3402, *Sub HB 313, CH 174 (1982)
- B&O tax, timber, public lands, standing, exemption exclusion: SB 3402
- Fire protection districts, purchases, sales tax exemption: SB 4520
- Property, rentals, lease cancellation, property ownership transfers, organizations, filing failure, penalty imposed, refund, additional taxes, appeals: Sub HB 961
- Property tax, cooperative housing authorities, senior citizens: SB 4770
- Property tax, income \$10,000, 1982, \$11,000, 1983, senior citizens, disabled persons, no regular property tax, valuation conditions specified: Sub HB 78
- Property tax, income \$14,000, 1982, senior citizens, disabled persons, no excess property taxes, 1983, income to \$15,000, no excess property tax: Sub HB 78
- Property tax, valuation to \$27,500, senior citizens, claim, appeal procedures, local assessor duties, revenue director rules adoption, audits: SB 4770
- Public facilities, certain, under construction, materials purchase, sales, use taxes exemption: SB 4821
- Sales tax, nonresidents exemption eliminated: SB 4446
- Vehicles, ride-sharing, elderly, handicapped persons, MVET exemption: *Sub SB 4545, CH 142 (1982)
- Vehicles, ride-sharing, elderly, handicapped persons, use by public agencies, non-profit agencies, as specified, MVET exemption: SB 4545
- Vehicles, transit services, elderly, handicapped persons, nonprofit corporations, MVFT exempt, refund provision: SB 4760

TAXES - GAMBLING

- Card games, social, imposed: SB 3379
- Gambling activities, county tax rate imposed certain incorporated areas, provision deleted: SB 4576
- Pull-tabs, punch boards, maximum increased: Sub HB 1102, SB 4759, Sub SB 4759

TAXES - INCOME

- Flat, authorized, property tax repealed: SJR 138
- Individuals, imposed, 1% adjusted gross income, implementation prescribed, payment failure penalty, appeal procedures: SB 4387

TAXES - INSURANCE PREMIUMS

- Increased: SB 4578
- Surtax, temporary, imposed: *SB 4250, CH 35 E1 (1982), Sub SB 4368

TAXES - LEASEHOLD EXCISE

- Fire protection districts, contiguous property subject to leasehold excise tax, annexation authorized, conditions specified: Sub SB 3512
- Fire protection districts, distribution: SB 3512
- Increase, temporary, authorized: Sub SB 4368
- Leasehold excise tax account, distribution limitation, transferred as account within general fund: *Sub HB 773, CH 4 E2 (1981)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

TAXES – LEASEHOLD EXCISE—cont.

- Rent, insurance protection expenditure, taxable definition exclusion: SB 4467
- Rent, prepaid contract, definition inclusion, public owner obligations, as defined: SB 4389
- Surtax, temporary, imposed: Sub SB 4368, *SB 4250, CH 35 E1 (1982)
- Taxing districts, tax increment obligations, authorized, conditions prescribed, constitutional contingency: SB 4119, Sub SB 4119

TAXES – MISCELLANEOUS

- Conveyances, temporary increase authorized: Sub SB 4368
- Conveyances, temporary surtax imposed: Sub SB 4368, *SB 4250, CH 35 E1 (1982)
- Credit cards, use, payment, local, state agencies, authorized: SB 4364
- Fish privilege, temporary surtax imposed: Sub SB 4368, *SB 4250, CH 35 E1 (1982)
- Food fish/shellfish, temporary increase authorized: Sub SB 4368
- Oil and gas conservation committee, powers, duties revised, oil and gas definitions, regulations revised, severance tax imposed, revolving account created: Sub SB 4944
- Oil and gas severance and conservation tax act, enacted: SB 4458

TAXES – MOTOR VEHICLE EXCISE (See also REVENUE AND TAXATION, DEPARTMENT OF REVENUE)

- Cities, specified, 65% distribution, other distribution provisions: SB 4421, *SB 4972, CH 49 E1 (1982)
- County auditors, collection fee, motor vehicle use tax, increased: Sub SB 3044
- County auditors, collection fee, motor vehicle use tax, revenue department setting authorized: SB 3044
- County sales and use equalization account, created: *SB 4972, CH 49 E1 (1982)
- Increase, temporary, authorized: Sub SB 4368
- Municipalities, authorized rate increased, public transportation support: SB 4868
- Municipal sales and use tax equalization account, created: SB 4421, *SB 4972, CH 49 E1 (1982)
- Public transportation, bonds, tax pledge prohibition removed: SB 4878
- Public transportation, support, distribution repealed: SB 4656
- Reduction, owner out of country, vehicle not used, as specified, permitted: SB 4478
- Surtax, temporary, imposed: *SB 4250, CH 35 E1 (1982), Sub SB 4368
- Turcks, as defined, monthly proration, as specified, violations, traffic infractions, penalties stated: SB 4768
- Vehicles, ride-sharing, elderly, handicapped persons, exemption: *Sub SB 4545, CH 142 (1982)
- Vehicles, ride-sharing, elderly, handicapped persons, use by public agencies, non-profit agencies, as specified, tax exemption: SB 4545

TAXES – MOTOR VEHICLE FUELS (See also REVENUE AND TAXATION, DEPARTMENT OF REVENUE)

- Multistate motor fuel tax agreement, DOT participation authorized: SB 4562, *Sub SB 4562, CH 161 (1982)
- Sales, use taxes imposed, revenue department rules promulgation: SB 4498

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

TAXES - MOTOR VEHICLE FUELS—cont.

Selling price, omission permitted: *HB 854, CH 6 E1 (1982)

Vehicles, transit services, elderly, handicapped persons, nonprofit corporations, refund authorized: SB 4760

TAXES - PROPERTY (See also REVENUE AND TAXATION, DEPARTMENT OF REVENUE)

Agricultural land, annual, perennial roots, vines, bushes, trees, plants, other living plant material, open space, definition inclusion: Sub SB 3522

Assessments, current use required, potential use not to be considered: SB 4816

Claims, audited, apparent disqualifying factors, county assessor notification requirement: Sub HB 506

Community redevelopment financing act: SB 4603, Sub SB 4603, *2nd Sub SB 4603, CH 42 E1 (1982)

Construction, new, assessment rolls listing: *Sub SB 3783, CH 46 E1 (1982)

County assessors, appeals, revenue department, hearings, pursuant, administrative procedure act: Sub HB 612

County indicated ratios, determination, appeal, landowners, intercounty public utilities, private car companies, authorized: Sub HB 612

County indicated ratios, submission, appeals, procedures review, adjustments: Sub HB 612, *Sub SB 3783, CH 46 E1 (1982)

Cultural arts, stadium, and convention districts, establishment permitted, powers, duties, taxing authority: *Sub HB 1156, CH 22 E1 (1982)

Current use valuation, lands with water dependent uses, authorized: SJR 144

Current use valuation, lands with water dependent uses, designated wetland, shoreland areas, constitutional contingency: SB 4762

Deferrals, claimant, redefined, retired person receiving senior citizen or disabled person exemption: Sub HB 506

Deferrals, liens, interest rate established: Sub HB 506

Discount, April 30 payment in full, 1982 taxes and thereafter (vetoed): Sub SB 3398

Exemptions, rentals, lease cancellation, property ownership transfers, organizations, filing failure, penalty imposed, refund, additional taxes, appeals: Sub HB 961

Exempt real property transferred, private ownership, quarterly collection schedule, penalty requirements: SB 4428

Forest land, lesser acreage, current use valuation authorized, contiguous right of way provision: Sub HB 1

Game lands, county relinquishment, fines, payments received, in lieu of real estate taxes, provisions repealed: SB 3930

Historic property, assessment, classification application, disqualification: Sub SB 3025, 2nd Sub SB 3025

Intangible personal property, annual property tax imposed, conditions, exemptions, penalties specified: SB 4855

Land, current use classification removal, additional tax, interest rate specified, applicable periods defined, refund provision: Sub SB 4617

Land, current use classification removal, additional tax, interest rate specified, applicable periods defined: Sub SB 4617

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

TAXES - PROPERTY—cont.

- Land, current use classification removal, additional tax, interest rate specified: SB 4617
- Levy, state, apportionment adjustments: *SB 4634, CH 28 E1 (1982)
- LID's, formation, financing, procedures modified, petitions, bonds, interest rates, foreclosure, annual levy: HB 519
- Metropolitan municipal corporations, certain, authorized: HB 723
- Payments, quarterly installments required, penalty provision, under \$10, annual payment requirement: SB 4428
- Public improvements, indebtedness, payment means provided, hearings requirements, eminent domain, potential use, public information: Sub SJR 143
- Public improvements, indebtedness, payment means provided: SJR 143, *Sub SJR 143 E1 (1982)
- Repealed, flat income tax authorized: SJR 138
- Revaluation, physical inspection schedule, conditions prescribed: SB 3783, *Sub SB 3783, CH 46 E1 (1982)
- Review boards, state, local, historic properties responsibilities: Sub SB 3025, 2nd Sub SB 3025
- Road districts, excess levies authorized: HB 370
- Schools, excess levy authority, phaseout schedule: SB 3848
- Schools, excess levy limitation, exceeding, phaseout: Sub SB 3848
- Schools, excess levy maintenance and operation, increase authorized: SB 4623
- Senior citizens, cooperative housing authorities, exemption, as specified: SB 4770
- Senior citizens, disabled persons, exemption, claims filing, revenue department, simple form requirement: Sub HB 506
- Senior citizens, disabled persons, exemption, disposable income definition, capital gains, military, veterans benefits for attendant care, medical-aid payments, excluded: Sub HB 506
- Senior citizens, disabled persons, exemption, income to \$14,000, no excess tax, 1982, income to \$15,000, no excess tax, 1983: Sub HB 78
- Senior citizens, disabled persons, exemption, 1982, income to \$10,000, 1983, income to \$11,000, no regular tax, valuation conditions specified: Sub HB 78
- Senior citizens, exemption, valuation to \$27,500, claim, appeal procedures, local assessor duties, revenue director rules adoption, audits: SB 4770
- Solid waste disposal districts, establishment authorized, tax levy, bond issuance: *Sub HB 221, CH 175 (1982)
- Statements, lists, county assessors, temporary procedures established, termination: *Sub HB 764, CH 29 E1 (1982)
- Taxable property, examination, assessment, valuation purposes: Sub HB 612, *Sub SB 3783, CH 46 E1 (1982)
- Technical provisions, procedures modified: SB 4955
- Valuation, appropriate statistical data, revenue department rules adoption: *Sub SB 3783, CH 46 E1 (1982)
- 106% limit, determination provisions modified: Sub HB 17

TAXES - PUBLIC UTILITY (See also REVENUE AND TAXATION, DEPARTMENT OF REVENUE)

- Cities, towns, rates, ordinance, voter provisions: *SB 4972, CH 49 E1 (1982)
- Natural gas companies, state-wide operation, increased: SB 4585

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

TAXES – PUBLIC UTILITY—cont.

Surtax, temporary, imposed: Sub SB 4368, *SB 4250, CH 35 E1 (1982)

TAXES – REAL ESTATE EXCISE (See also REVENUE AND TAXATION, DEPARTMENT OF REVENUE; TAXES – EXCISE)

Assessments, refunds, property sales, prohibition conditions specified: *HB 964, CH 176 (1982)

Increase, temporary, authorized: Sub SB 4368

Sales, proceeds, not certified by ESD superintendent, state treasury remission provision: *HB 964, CH 176 (1982)

Surtax, temporary, imposed: Sub SB 4368, *SB 4250, CH 35 E1 (1982)

TAXES – SALES AND USE (See also TAXES – EXCISE; REVENUE AND TAXATION, DEPARTMENT OF REVENUE)

Cities, additional, imposition allowed, repeal process requirement: SB 4421

Cities, additional, imposition authorized, special initiative procedure: *SB 4972, CH 49 E1 (1982)

Cities, food products, imposition prohibited: Sub SB 4368

Cities, local revenues, monthly distribution provision: SB 4739

Collections conversions, illegal, false tax returns, sellers, felony provisions: SB 4604

Collections procedures modified: SB 4496

Counties, additional, imposition allowed, repeal process, cities credit requirements: SB 4421

Counties, additional, imposition authorized, special initiative procedure, cities credit provisions: *SB 4972, CH 49 E1 (1982)

Counties, bordering other state, country, imposition, collection suspension, by ordinance, constitutional contingency: SB 4950

Counties, food products, imposition prohibited: Sub SB 4368

Counties, local revenues, monthly distribution provisions: SB 4739

County sales and use equalization account, created, specified MVET receipts deposit: *SB 4972, CH 49 E1 (1982)

Debts, bad, as defined, payment not required: HB 991

Debts, worthless, payment not required, seller credit, refund provisions: *SB 4250, CH 35 E1 (1982)

Decreased: *SB 4250, CH 35 E1 (1982)

Definition, revisions: SB 4392

Exemption permits, collection fees, increased, nonresident permits tax gain study directed: *Sub HB 840, CH 5 E1 (1982)

Fire protection districts, purchases, exemption: SB 4520

Food products, local sales/use taxes imposition prohibited: Sub SB 4368

Food products, reimposed, lowered rate established: Sub SB 4368

Food products, reimposed: *SB 4250, CH 35 E1 (1982)

Increase, fiscal emergencies, state finance committee authority, as specified: SB 4435

Increase, prescribed: SB 4392

Increase, temporary, time frame, established: Sub SB 4368, *2nd Sub HB 788, CH 8 E2 (1981)

Intangible property, retail sales, use taxes, securities, as defined, imposed, exemptions specified: SB 4450

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

TAXES - SALES AND USE—cont.

- Liquor, as specified, surtax imposed: Sub SB 4368, *SB 4250, CH 35 E1 (1982)
- Local government, taxing powers prescribed: *SB 4972, CH 49 E1 (1982)
- Local sales and use tax account, distribution limitation, transferred as account within general fund: *Sub HB 773, CH 4 E2 (1981)
- Metropolitan municipal corporations, local revenues, monthly distribution provisions: SB 4739
- Motor vehicle fuel, imposed, conditions specified, revenue department rules promulgation: SB 4498
- Municipal sales and use tax equalization account, created, uses prescribed: SB 4421, *SB 4972, CH 49 E1 (1982)
- Nonresidents, exemption eliminated: SB 4446
- Personal property, tangible, acquired outside state, civil actions, tax payment proof filing requirement: SB 4961
- Prepayment, locally imposed taxes, authorized, use provisions: Sub HB 1140, SB 4859, *Sub SB 4859, CH 211 (1982)
- Professional, personal services, definition inclusion: SB 4392
- Public facilities, certain, under construction, materials, exemption: SB 4821
- Retail sales, definition revisions: SB 4392
- Securities, as defined, imposed: SB 4450
- Trade-in allowances, selling price, deduction, sales tax purposes: HB 755
- X-rated materials, 20% of sales price, imposed: SB 4598

TAXES - TIMBER EXCISE

- Forest land, definition revised, timber, forest lands taxation purposes: SB 4608
- Harvesters, inclusion, existing contracts exemption: SB 4399
- Harvesters, surcharge imposed: SB 4250, Sub SB 4368
- Public lands, timber, inclusion, existing contracts exemption: SB 4399
- Reforestation lands, declassified, conditions specified, owners' removal provisions, county assessor requirements: SB 4487

TEACHERS (See also TEACHERS' RETIREMENT SYSTEM)

- Accreditation, renewal, examination requirements, education board duties: SB 4843
- Attendance incentive program, buy-back authority repealed, sick leave accumulation limit established: SB 4383
- Certificated personnel, certificates, registration refusal, revocation, SPI initial appeal conditions prescribed: SB 3336
- Political action committees, contributions, payroll deduction restrictions specified: SB 4637
- Religious teaching certificates, special, graduates, certain nonaccredited institutions with religious affiliations, authorized: Sub SB 4238
- Schools, abuse prevention programs, SPI adoption urged: SCR 134
- Schools, abuse prevention programs, SPI guidelines, curriculum development directed: Sub SCR 134
- Student/teacher ratio standard provisions removed: SB 3588

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

TEACHERS' RETIREMENT SYSTEM (See also RETIREMENT AND PENSIONS, DEPARTMENT OF RETIREMENT SYSTEMS)

- Allowances, deductions, payment, group insurance premiums, permitted, OFM policy approval: Sub HB 733
- Contributions, as specified, SPI duties, appropriation: SB 4424
- Deductions, monthly, group insurance or health care benefit plans, retirement association fees, as defined, authorized: *SB 4468, CH 135 (1982)
- Early retirement, conditions specified, expiration date provision, appropriation, OFM study requirements: 2nd Sub HB 124
- Early retirement, conditions specified, expiration date provision: SB 4495
- Early retirement, special, allowed, conditions prescribed: SB 4424
- Earnable compensation, definition revised: SB 4908
- Lump sum payments authorized, conditions specified: *SB 4638, CH 144 (1982)
- Membership transfer, prior teaching service credit establishment, fractional credit calculation formula: SB 3290
- Prior teaching service credit establishment, permitted, interest rate, director establishment: Sub SB 3290

TELEPHONE SYSTEMS, JOINT SELECT COMMITTEE

- Under provisions HCR 33, President Cherberg appointed Senators Sellar, Newhouse and Vognild as members 539

TELEPHONES

- Agencies, rules compliance, toll-free line requirement: SB 4858
- Public disclosure commission, hotline program, appropriation: Sub SB 3249
- Telephone systems, joint select committee, establishment, duties, report: *HCR 33 (1982)

TELEVISION AND RADIO (See also VIDEO COMMUNICATION)

- Political advertising, violations, admitted, promises no further violation, revision, prosecutor, failure to act, injunction proceedings: HB 472

TERMINAL AREAS

- Cities, certain, establishment formula prescribed, establishment, expansion authorized, conditions specified: SB 4504
- Defined, established: *SB 4484, CH 71 (1982)

THEATERS

- Nonprofit arts organizations, as defined, class L liquor license, established, fee imposed: HB 342

THE EVERGREEN STATE COLLEGE

- Retirement contributions, appropriation: SB 4424
- Travel, reduction specified, sec 88 (vetoed): Sub HB 811
- Tuition, fees, identical to regional universities: SB 4957
- Tuition, fee waivers, foreign students, authorized: Sub SB 3347

THEFT

- Habitual criminal status, redefined: HB 569

THERMAL POWER (See also JOINT OPERATING AGENCIES)

- Cogeneration facilities, tax credit increased: *SB 3394, CH 2 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

THERMAL POWER—cont.

Cogeneration facilities, tax credit limitation provisions: SB 4607
 Price-Anderson act, nuclear plant owner liability limitation, modification petitioned: SJM 131

THERMAL STANDARDS

Buildings, commercial, residential, energy-efficient standards, building code in effect: SB 3310, SB 4113
 Thermal efficiency and lighting code, state-wide, adoption authority repealed: SB 4653

THERMOSTATS

Water heaters, temperature setting requirements, owners', residents provisions, warning tag requirement: Sub HB 973, SB 4904

THORIUM

Milling, defined: *SB 3425, CH 78 (1982)

THORPE, JON G.

Member, commission for vocational education, GA 478, confirmed (1981), 418,863

THREATS

Written, as specified, governor, immediate family, governor-elect, lieutenant governor, successors, class C felony, WSP investigation: *HB 745, CH 185 (1982)

THREE-MINUTE RULE

Imposed 910,917-918,1161,1787

THURSTON COUNTY

Centennial commission, plan development, state capitol area location, commerce and economic development department appropriation: HB 183

TIDELANDS (See also ECOLOGY, DEPARTMENT OF; SHORE-LINE MANAGEMENT; HARBOR AREAS)

Alaskan Way seawall, certain easterly lands, SMA exemption: SB 4724
 Aquatic lands code, separate chapters, established: SB 4824, *Sub SB 4824, CH 21 E1 (1982)
 Aquatic lands joint legislative committee, members, duties, report, termination: *Sub SB 4824, CH 21 E1 (1982)
 Docks, upland owners, recreational use, state lands, additional rent or fees prohibited: *Sub SB 4824, CH 21 E1 (1982)
 Leases, maximum annual increase rate set, geoduck, oyster harvesting, oyster bed leases exemption: *Sub SB 4824, CH 21 E1 (1982)
 Leases, requirements modified: SB 3565

TIME-SHARING

Camping clubs, contracts, provisions revised: *HB 1017, CH 69 (1982)
 Real estate, regulated, conditions prescribed: SB 3775, Sub SB 3775
 Real estate, regulated, conditions specified, licensing department appropriation: Sub SB 3775, 2nd Sub SB 3775

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

TITANIFEROUS MAGNETITE

Off-shore extraction, excise tax imposed: SB 4620, Sub SB 4620

TITLE ONLY BILLS – SENATE

Adoption: SB 4454

Agencies serving children, developmentally disabled, expectant mothers: SB 4419

Agency consolidation and eliminations: SB 5004

Agricultural lands: SB 4933

Agriculture: SB 4044

Air pollution: SB 4967

Appropriations: SB 4264, SB 4369, SB 4370

Basic education: SB 5005

Basic skills remediation: SB 4838

Branch banking: SB 4455

Budget: SB 4374

Budget and accounting: SB 4265, SB 4885

Business deregulation: SB 4377, SB 4378

Campaign materials: SB 4895

Capital budget: SB 4880

Certificate of need program: SB 4416

Cities: SB 4971

Cities reincorporation: SB 4977

City-county: SB 4270

Civil service reform: SB 4397

Civil service reform and employee performance incentives: SB 5002

Common school funding: SB 4836

Community colleges, course instruction: SB 4974

Community redevelopment financing: SB 4802

Congressional reapportionment and redistricting: SB 4899, SB 4901

Congressional reapportionment and redistricting and providing for a commission:
SB 4898, SB 4900

Corrections: SB 4413, SB 4888

Corrections department: SB 4408

Cost control measures for local government: SB 4993

Cost control measures for state government: SB 4994

County revenues equalizing: SB 4891

Crimes and punishments: SB 4153

Economic development: SB 4976, SB 4979, SB 4984

Education: SB 4238

Educational services registration: SB 4061

Energy importance: SJM 125

Excise tax: SB 4404, SB 4887

Filing fee: SB 4430

Financial assistance, small businesses, owner-occupied family housing: SB 4980

Financial institutions: SB 3679

Fiscal administration: SB 4532, SB 4539, SB 4540

Fisheries, economic recovery: SB 4883

Forest land: SB 4367

Health services: SB 4412

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

TITLE ONLY BILLS - SENATE—cont.

- Highway district boundaries: SB 4671
- Hunting and fishing: SB 4669
- Industrial development districts: SB 4925
- Intangible personal property tax: SB 4670
- Interstate banking: SB 4982
- Inventory tax: SB 4453
- Investment pooling: SB 4803
- Irrigation: SB 4928
- Joint operating agencies: SB 4995, SB 4996
- Joint select committee on sunset review: SB 4673
- Juvenile diagnostic services: SB 4415
- Juveniles: SB 4414
- Law enforcement officers protection: SB 4970
- Leasehold excise taxation: SB 4432
- Leasing of personal property: SB 4897
- Legislative reapportionment and redistricting: SB 4936, SB 4937
- Legislative salaries: SB 5006
- Lien law extended, marina operators, boat dockage: SB 4948
- Liquor control board: SB 4968
- Livestock: SB 4046, SB 4797
- Local districts: SB 4804
- Local government: SB 4790, SB 4792, SB 4973
- Local government, finance: SB 4972
- Lottery: SB 4431
- Marine fish: SB 4665
- Medical assistance: SB 4409
- Metropolitan park districts: SB 4882
- Mining and quarrying: SB 4403
- Motor vehicle business practices: SB 4866
- Mt. St. Helens: SB 4456
- Municipal conference centers funding: SB 4814
- Natural resources: SB 4163, SB 4164, SB 4668
- Nuclear plants, fund to guarantee termination funds: SB 4799
- Nursing homes: SB 4411
- Ocean ranching: SB 4677
- Oil and gas: SB 4929
- Oil sales: SB 4815
- Parental involvement in public schools: SB 4837
- Pilotage: SB 4892
- Political subdivisions: SB 4271
- Pollution control tax: SB 4405
- Pornography: SB 4889
- Port districts: SB 4963, SB 4964
- Port districts, Puget Sound, consolidation: SB 4800
- Privilege tax, city-owned utilities: SB 4840
- Property revaluation: SB 4983, SJR 146
- Property taxation: SB 4969
- Public assistance: SB 4407, SB 4410, SB 4881

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

TITLE ONLY BILLS – SENATE—cont.

- Public disclosure: SB 4142, SB 4896
- Public disclosure fees: SB 4396
- Public employees collective bargaining: SB 4966
- Public employees compensation: SB 4931, SB 5007
- Public employees retirement system: SB 4938
- Public employment: SB 4529, SB 4530, SB 4924
- Public officials: SB 4965
- Public pensions: SB 4935, SB 4975
- Public power: SB 4996, SB 4997
- Public power system: SB 4995
- Public utilities: SB 4999
- Public utility tax: SB 4400, SB 4806, SB 4808, SB 4812
- Public works: SB 4890
- Real estate brokers and salesmen: SB 4894
- Rebuilt motor vehicle registration: SB 4978
- Referendum 26 Bonds: SB 4884
- Retail sales tax on food: SB 4930
- Retirement systems, transfers: SB 4893
- Revenue and taxation: SB 3398, SB 4250, SB 4368, SB 4371, SB 4372
- Revenue and taxation local government services: SB 5001
- Revenue bonds issuance, other revenue obligations: SB 4879
- Rules review: SB 4672
- Sales tax: SB 4402
- Savings and loan associations: SB 4886
- School district purchasing sites owned, DNR, or leasing sites at fair rental value:
SB 4864
- School district transportation: SB 4675, SB 4676
- Securities and commodities commissions: SB 4433
- Sewer districts: SB 4791
- Shellfish: SB 4666
- Shorelands and tidelands: SB 4667
- Small power facilities: SB 4981
- Social and health services: SB 4285
- Social and health services, fee schedules: SB 4417
- Social and health services, financial responsibility: SB 4418
- Social services: SB 4406
- Special education: SB 4839
- Special purpose districts: SB 4801
- State fisheries: SB 4452
- State government: SB 4373, SB 4376, SB 4533, SB 4534, SB 4535, SB 4536
- State personnel: SB 4395
- State personnel systems: SB 4531, SB 4537, SB 4538
- State trust lands: SB 4664
- Sunset procedures: SB 4674
- Supplemental budget: SB 4375
- Tax equalization: SB 4401
- Tax increment obligations: SB 4793
- Teachers retirement system: SB 4926, SB 4932

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

TITLE ONLY BILLS - SENATE—cont.

- Telephone business utility tax: SB 4809, SB 4811, SB 4813
- Timber processing, domestic: SB 4934
- Timber sales: SB 4663
- Timber tax, equalization: SB 4399
- Transportation: SB 3670
- Tuition and fees: SB 4985
- Tuition and user fees: SB 5003
- Unemployment compensation: SB 4216
- Utilities: SB 4999, SB 5000
- Utility taxes: SB 4795, SB 4807, SB 4810
- Veterans affairs: SB 4541, SB 4542
- Water districts: SB 4805
- Water resources: SB 4796
- Water rights: SB 4927
- Winter recreation: SB 4841

TORTS

- Comparative fault, contribution requirements, technical corrections: *SB 4691, CH 100 (1982)

TOURISM (See also COMMERCE AND ECONOMIC DEVELOPMENT DEPARTMENT)

- Expo '86, joint select committee, established, members, duties, British Columbia exposition: *SCR 138 E1 (1982)
- State trade fair fund, surplus funds, CED director, foreign trade related activities, expenditure authority: SB 4385, *HB 780, CH 2 E2 (1981)
- State trade fair fund, surplus funds, use, foreign countries, matching requirements: HB 780
- Tourism, program development, commerce and economic development department duties, report: SB 4696

TOUTLE RIVER

- Accreted land, adjacent landowners, leases authorized, conditions prescribed, ownership claims prohibited: Sub SB 3824
- Accreted land, deposits, DNR impact study, report requirements: Sub SB 3824
- Dredge spoil site, acquisition, DOT appropriation: SB 4510, *Sub SB 4510, CH 7 (1982)
- Milwaukee railroad, right-of-way, acquisition, unexpended funds, use, dredge spoil sites, Cowlitz, Coweeman, Toutle rivers, purchase authority, sec 110: *Sub HB 811, CH 14 E2 (1981)

TRADE FAIRS

- State trade fair fund, surplus funds, CED director, foreign trade related activities, expenditure authority: SB 4385, *HB 780, CH 2 E2 (1981)
- State trade fair fund, surplus funds, use, foreign countries, matching requirements: HB 780

TRADE-IN ALLOWANCES

- Selling price, deduction, sales tax purposes: HB 755

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) . . . Passed during 1981 Second Special Session.
- E1 (1982) . . . Passed during 1982 First Special Session.
- E2 (1982) . . . Passed during 1982 Second Special Session.

TRADE NAMES

Registration, required, conditions specified, fees, licensing department director rules adoption appropriation: SB 4528

TRADING STAMPS

Coupons, license provisions, certain prohibitions removed: SB 4742

TRAFFIC, TRAFFIC CONTROL, TRAFFIC INFRACTIONS (See also MOTOR VEHICLES; DRIVERS - MOTOR VEHICLES; MODEL TRAFFIC ORDINANCE)

Accidents, motor vehicles, official business, fire fighters, WSP, law enforcement officers, employment driving record, report requirement: *SB 3233, CH 52 (1982)

Bicycles, hand signals, requirements prescribed: SB 4339, Sub SB 4339

Bicycles, paths, designated areas, designation, use, ordinances not allowed, funds expenditure prohibited: SB 4460

Bicycles, redefined, limited access roadways use, state, local authorities, prohibited actions, day-light hours use restriction: SB 4339, Sub SB 4339

Bicycles, redefined, limited access roadways use, state, local authorities, prohibitions, hand signals, traffic lanes use requirements revised: *Sub SB 4460, CH 55 (1982)

Bicycles, redefined, roadway operation specified: SB 4460

Bicycles, riding in traffic lanes, rules revised: SB 4339, Sub SB 4339

Child safety restraints, motor vehicles, equipment commission standards adoption, parent, use requirements, violations, fine established: SB 3252

Child safety restraints, standards adoption, parent use requirements, violations, fines, noncompliance provisions: Sub HB 288, Sub SB 3252, SB 4548

Deferred prosecution program, traffic infraction charges, noneligibility: SB 4819, Sub SB 4819, *HB 600, CH 47 E1 (1982)

Juveniles, court costs provision: SB 4733

Motor vehicles, nonresident violator compact, motorist violations: SB 4750, *Sub SB 4750, CH 212 (1982)

Notice, response time increased: SB 4817

Parking, disabled persons, reserved spaces, unauthorized use, monetary penalty established: SB 4305

Parking, notice, response failure, local penalties allowed: *SB 4492, CH 12 E1 (1982)

Parking, offenses, additional penalty assessments, excluded: *SB 4492, CH 12 E1 (1982)

Parking, reserved, disabled persons, unauthorized use: SB 3001

Parking, violations, unpaid, vehicle license renewal, prohibited, payment conditions prescribed: *Sub HB 268, CH 14 E1 (1982)

Traffic safety commission, governor's absence, employee designation, voting, presiding provisions revised: SB 4632

Traffic safety commission, governor's absence, employee designation, voting provision revised, may not preside: *Sub HB 946, CH 30 (1982)

Traffic safety commission, transferred to office of community programs: SB 4586, Sub SB 4586

Traffic safety education account, discontinued, common school support account created, school support purposes: HB 800

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

TRAFFIC, TRAFFIC CONTROL, TRAFFIC INFRACTIONS—cont.

Traffic safety education courses, establishment provisions repealed: HB 800
Trucks, as defined, motor vehicle excise tax, monthly proration, conditions, violations, penalties specified: SB 4768

TRAILS AND PATHS

Bicycle paths, designated areas, designation, use, local ordinances not allowed, funds expenditure prohibited: SB 4460
Bicycles, facilities, construction, modifications, state standards requirement: *Sub SB 4460, CH 55 (1982)

TRAINING

Criminal justice training commission, facilities, lease time limit removed, GA department lease approval requirement: SB 4842, *HB 1066, CH 124 (1982)
Fire service training center, commission for vocational education, bonding authority increased: *Sub HB 1230, CH 48 E1 (1982)
Judicial, programs, standards, transferred from criminal justice training commission, judicial standards training board: SB 4083
Posttraumatic stress disorder training, community mental health professionals, DSHS appropriation: HB 470
Students, completion, public assistance authorized, aid considered repayable debt: *2nd Sub HB 756, CH 10 E2 (1981)
Voluntary motorcycle education and training program, licensing department implementation, appropriation: SB 4692, *Sub SB 4692, CH 77 (1982)

TRANSPORTATION BUDGET

Allotments, lapsing prohibited: *SB 4549, CH 57 (1982)
Commission, sec 101: SB 4384
Commission, sec 106: Sub SB 4374
Commission, sec 108: *Sub HB 811, CH 14 E2 (1981)
Executive management, program Z, maintenance services, program S, sec 1: *SB 4549, CH 57 (1982)
Executive management, program Z, maintenance services, program S, sec 102: SB 4384
Executive management, program Z, maintenance services, program S, sec 105: Sub SB 4369
Executive management, program Z, maintenance services, program S, sec 107: Sub SB 4369, Sub SB 4374
Executive management, program Z, maintenance services, program S, sec 109: *Sub HB 811, CH 14 E2 (1981)
Executive management, program Z, maintenance services, program S, sec 111: *Sub SB 4369, CH 50 E1 (1982)
Highway management and support, program P, sec 2: *SB 4549, CH 57 (1982)
Motor vehicle fund, sec 11: SB 4709
Public transportation and planning, program T, sec 103: SB 4384
Public transportation and planning, program T, sec 106: Sub SB 4369
Public transportation and planning, program T, sec 108: Sub SB 4369, Sub SB 4374
Public transportation and planning, program T, sec 111: *Sub HB 811, CH 14 E2 (1981)

* Measures passed by Senate and House. Also Senate Resolutions adopted.
GA Gubernatorial Appointment.
SR Senate Floor Resolutions.
E2 (1981) . . . Passed during 1981 Second Special Session.
E1 (1982) . . . Passed during 1982 First Special Session.
E2 (1982) . . . Passed during 1982 Second Special Session.

TRANSPORTATION BUDGET—cont.

- Public transportation and planning, program T. sec 112: *Sub SB 4369, CH 50 E1 (1982)
 Search and rescue program, sec 10: *Sub SB 3946, CH 25 E1 (1982)

TRANSPORTATION COMMISSION, STATE

- Federal-aid apportionments, highway construction, fiscal 1985, consultation, legislative transportation committee, directed: *Sub SB 4469, CH 19 (1982)
 Naches Pass tunnel, Cascades cut-off, completion directed: SB 4764
 Overton, Jerry B, member: GA 525, confirmed 18,575,874
 Stern, Bernice, member: GA 526, confirmed 18,575,874

TRANSPORTATION, DEPARTMENT OF (See also PUBLIC TRANSPORTATION)

- Aeronautics division, local airports, airport system plan, state-owned emergency airports, search and rescue program, appropriation: *Sub SB 3946, CH 25 E1 (1982)
 Airports, near subdivisions, DOT secretary notification required: *HB 330, CH 23 (1982)
 Allotments, lapsing prohibited: *SB 4549, CH 57 (1982)
 Bicycle redefined, limited access roadways use, state, local authorities, prohibited actions, day-light hours use restriction: SB 4339, Sub SB 4339
 Bicycles, paths, designated areas, designation, use, ordinances not allowed, funds expenditure prohibited: SB 4460
 Bicycles, redefined, roadway operation specified: SB 4460
 Budget, 1981-83 biennium, programs P, S, Z, amended: *SB 4549, CH 57 (1982)
 Common carriers, bills of lading, hazardous materials, red in color or red border, requirement removed: *HB 457, CH 83 (1982)
 Counties, motor vehicle funds, county distribution formula adjusted, secretary, county road board, allocation percentages provision: *SB 4713, CH 33 (1982)
 Equipment commission, vice-chairman, state patrol chief's absence, licensing director or transportation secretary, or designated deputies, appointment required: *SB 4551, CH 106 (1982)
 Federal-aid apportionments, payments in advance, as specified: SB 4469
 Ferries, historic, disposition regulated: *SB 4956, CH 210 (1982)
 Ferry system, employees, labor relations provisions revised, marine employees commission created: SB 4609, Sub SB 4609
 Ferry system, Puget Sound ferry operations account abolished, operations funding repealed: SB 4657
 Garbage trucks, additional tonnage permit specifications: SB 4907
 Hazardous materials, as defined, transportation incidents, acts, civil liability, modified, conditions prescribed: SB 3959, Sub SB 3959
 Hazardous materials, as defined, transportation incidents, transporters, incident creators, extraordinary costs liability: SB 4525
 Interstate highways, improvements, payments, in advance of federal-aid apportionments: SB 4469, *Sub SB 4469, CH 19 (1982)
 John Wayne trail select committee, establishment, members, duties, agency cooperation: SCR 143

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

TRANSPORTATION, DEPARTMENT OF—cont.

- Legislative transportation committee, additional member authorized, officers election, executive committee membership, duties specified: Sub SB 3670
- Milwaukee road select committee, establishment, members, duties, agency cooperation: *SCR 143 E1 (1982)
- Motor vehicle fuel excise tax, selling price, omission permitted: *HB 854, CH 6 E1 (1982)
- Multistate highway transportation agreement, enacted: SB 4704
- Multistate motor fuel tax agreement, participation authorized: SB 4562, *Sub SB 4562, CH 161 (1982)
- Real estate, acquisition, exempt from GA director authority: *Sub HB 810, CH 41 (1982)
- Speeding violations, 55–70 mph, freeway violations, insurance abstract exclusion, abstract use violation, misdemeanor: SB 3518, Sub SB 3518
- Speed limit, maximum, national, if repealed, state authority, energy conservation purposes, termination provision: HB 576
- State route 504, renamed Spirit Lake memorial highway, route description correction, DOT extension construction, conditions specified: *SB 4706, CH 82 (1982)
- Urban arterial board, chairman, DOT state aid engineer: Sub HB 452
- Urban arterial board, membership, city council members, commissioners, county executive, council members, commissioners, permitted: *Sub HB 452, CH 209 (1982)

TRAVEL (See also PER DIEM)

- Reduction, community colleges, colleges, universities, postsecondary education council, state agencies, specified, sec 83–90 (vetoed): Sub HB 811

TREASURERS (See also STATE TREASURER; COUNTY TREASURERS)

- Community college education board, appointment, directed, receipts deposit, disbursements, bond requirements: SB 3821

TREATIES

- Indian treaty rights, federal reconsideration petitioned: SJM 129
- Salmon fishing, treaty Indian fisheries, nontreaty Indian participation limited: *SB 4522, CH 197 (1982)

TREATMENT

- Insanity, reason for felony acquittal, considered dangerous, hospitalization, appropriate alternative treatment, court must order: HB 494

TRESPASS

- Railroad trespassers, injury, death, employee liability immunity: *SB 4512, CH 141 (1982)
- Railroad trespassers, injury, death, owners, employees, liability immunity: HB 114
- Wildlife agents, law enforcement authority: SB 4753

TRESTLES

- Railroad trespassers, injury, death, employee liability immunity: *SB 4512, CH 141 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

TRESTLES—cont.

Railroad trespassers, injury, death, liability immunity, owners, employees, inclusion: HB 114

TRIALS

Industrial insurance appeals board, de novo jury trials deleted, superior court, oral arguments, written brief requirement: SB 4767

Police court, appeals, sentencing, supreme court rule, trial de novo provision: SB 3069

Police courts, city, appellate procedures revised: SB 4489

TRI-CITIES

Energy fair '83, OFM appropriation, general fund reversion, Benton/Franklin counties matching funds failure provision, date delayed: SB 4641

Energy fair '83, OFM appropriation, granted, general fund reversion, Benton/Franklin counties matching funds failure provision deleted: Sub SB 4264, *Sub SB 4369, CH 50 E1 (1982)

Pasco-Kennewick bridge, across Columbia river, preservation specifications: Sub SB 3027, 2nd Sub SB 3027

TRUCKS AND TRACTORS (See also COMMON CARRIERS; MOTOR VEHICLES)

Commercial zones, certain cities, establishment formula prescribed, establishment, expansion authorized, conditions specified: SB 4504

Common carriers, bills of lading, hazardous materials, red in color or red border, requirement removed: *HB 457, CH 83 (1982)

Garbage, additional tonnage permit specifications: SB 4907

Industry, partial deregulation, legislative transportation committee, study directed: Sub SCR 107

Motor freight carriers, commercial zones, terminal areas, established: *SB 4484, CH 71 (1982)

Motor vehicle excise tax, monthly proration, trucks, as defined, conditions, violations, penalties specified: SB 4768

Multistate motor fuel tax agreement, DOT participation authorized: SB 4562, *Sub SB 4562, CH 161 (1982)

Proportional registration, procedures established, when state becomes member of international registration plan: Sub SB 3993

Workers compensation, truck owner-operators, not considered workers, coverage purposes: *SB 4558, CH 80 (1982)

TRUST COMPANIES

Depositors, accounts classification, permitted, money market deposit competition purpose: SB 3925

Examinations, banking supervisor, fee schedule establishment conditions: HB 935, SB 4828

Investments, production credit associations, federal intermediate credit banks, federal land banks, stock, participation certificates, authorized: *HB 1074, CH 86 (1982)

Reorganization into bank holding companies: *Sub HB 936, CH 196 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

TRUSTS

Federal severance tax trust fund, establishment petitioned: SJM 126
 State investment board commingled trust fund, established, separate accounts, as necessary, authorized: *SB 4644, CH 58 (1982)

TUITION AND FEES - HIGHER EDUCATION

Assistance programs, federal funds, further reductions opposition petitioned: SJM 118, *Sub SJM 118 (1982)
 Athletic scholarships, students, tuition, fee waivers: Sub SB 3237
 Blind, needy, disadvantaged, resident, fee waivers: Sub SB 3347
 Cancellation, refunds, higher education, implementation: Sub HB 115
 Exceptional educational ability, waiver conditions prescribed: Sub SB 3347
 Idaho, reciprocity authorized, net revenue losses computation: HB 461
 Miscellaneous changes prescribed, council for postsecondary education student financial aid supplementation appropriation: *2nd Sub HB 784, CH 37 E1 (1982)
 Needy, disadvantaged, children, veterans, killed, disabled: Sub SB 3347
 Reciprocity program, British Columbia higher education institutions: SB 4694
 Refunds, cancellations, implementation: Sub HB 115
 Resident, redefined: Sub SB 3347
 TESC, same as regional universities: SB 4957
 Veterans, operating, services, activities fees increase, waiver: Sub SB 3347
 Veterans, waiver conditions prescribed: Sub SB 3347
 Vocational-technical institutes: Sub SB 3929

TUNNELS

Naches Pass, Cascades cut-off, completion, transportation commission, directed: SB 4764

UNEMPLOYMENT (See also EMPLOYEES; EMPLOYERS)

Budget stabilization account, establishment directed, appropriations, fiscal emergencies, retirement systems assets, revenues, biennium credit: Sub HJR 13
 Budget stabilization account, transfers, deposits, legislative appropriation requirements, expenditures, uses specified: *Sub HB 1109, CH 36 E1 (1982)
 Community economic revitalization board, created: SB 4622, *2nd Sub HB 906, CH 40 E1 (1982)
 Enterprise zone act, passage petitioned: HJM 22
 Export assistance centers, establishment provisions, nonprofit corporation formation, commerce and economic department rules adoption, appropriation: Sub HB 1141
 High unemployment areas, businesses, as specified, B&O tax credit: SB 4870
 High unemployment areas, businesses, as specified, industrial insurance tax credit: SB 4871
 Job service program, reemployment provisions, employment security department appropriation: SB 4946
 Neighborhood assistance act: SB 4915
 Sewer lines, new, referendum 39 bond moneys, use authorized, high unemployment areas, industrial districts development priorities: SB 4877
 Small business equity corporation act: SB 4876
 Small business investment act: SB 4874

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

UNEMPLOYMENT—cont.

- Timber contracts, existing sales, as specified, extension permitted: SB 4788
- Timber contracts, forest products industry employment recovery act, enacted: SB 4711
- Timber sales, procedures, modifications, DNR, directed: *HCR 42 (1982)

UNEMPLOYMENT COMPENSATION BENEFITS

- Additional, as specified, eligibility period established: HB 1033, SB 4661, *Sub SB 4216, CH 18 E1 (1982)
- Alcoholism, disqualification, not a defense: *Sub SB 4216, CH 18 E1 (1982)
- Budget stabilization act, supplemental compensation, as specified: Sub HB 1109
- Child support, obligations, disclosure, new claimants, required, deduction, as specified, required: HB 1033, SB 4661, *Sub SB 4216, CH 18 E1 (1982)
- Contractors, employment definition revised: HB 1033, *Sub SB 4216, CH 18 E1 (1982)
- Cooperative economic development act: SB 4990
- Disqualification, labor dispute, modified, exclusion conditions: HB 660
- Disqualification, labor dispute, modified (vetoed): HB 660, SB 3944
- Disqualification, voluntary quit, bona fide work, specified: *Sub SB 4216, CH 18 E1 (1982)
- Electricians, electrical contractors, employment definition revised: HB 1033, *Sub SB 4216, CH 18 E1 (1982)
- Emergency payments, as specified, authorized: SB 4862
- Employers, tax contribution schedule, determination method prescribed: SB 4862
- Employment security commissioner, decisions, appeal tribunal proceedings: HB 1033, SB 4661, *Sub SB 4216, CH 18 E1 (1982)
- Extended, eligibility, interstate claimants: SB 3552
- Extended, payment prohibition, failure to accept or seek work, eligibility reestablishment: SB 3552
- Extended, redefined, "on and off" indicators, eligibility provisions revised: HB 1033, SB 4661, SB 4862, *Sub SB 4216, CH 18 E1 (1982)
- Gross misdemeanor, conviction, disqualification, recovery: *Sub SB 4216, CH 18 E1 (1982)
- Hairdressers, barbers, independent contractors, law exclusion: *Sub SB 4216, CH 18 E1 (1982)
- Payment, agencies, method switch allowed: SB 3552
- Pension recipients, prorated deduction, lump sum payment, life expectancy proration: SB 3552
- Reduced, eligibility provision: HB 1033, *Sub SB 4216, CH 18 E1 (1982), SB 4661
- Shared work, payment authorized, as specified: SB 4745
- Shared work unemployment insurance program, established, employment security department, conditions specified, federal conflicts provision: SB 4593
- State advisory council on unemployment compensation, public members, unemployment compensation nonentitlement, restriction removed: HB 1033, *Sub SB 4216, CH 18 E1 (1982), SB 4661
- Training, approved, job quit, as specified, denial prohibited: HB 1033, *Sub SB 4216, CH 18 E1 (1982), SB 4661
- Unemployment insurance shared work program, established: SB 4593

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

UNFAIR BUSINESS PRACTICES

Attorney general, presuit depositions, interrogatories authorized, procedures prescribed: SB 3913, *Sub SB 3913, CH 137 (1982)
 Mobile home landlord-tenant act, violations: SB 4642

UNFAIR LABOR PRACTICES

Complaints, filing period limitation: SB 4730
 Human rights commission, complaint copy requirement, investigation time limit, case prioritization, closure provisions, informational pamphlet: Sub HB 926
 Improper governmental actions, disclosure, public employees, reprisal prohibited, employee responsibilities, state auditor duties: *Sub HB 593, CH 208 (1982)

UNIFORM COMMERCIAL CODE

Port districts, property, personal, sales, secured party rights granted, purchase price, deposit, annual payment requirements: *SB 4571, CH 75 (1982)
 Secure transactions, financing statements, amendments, certificates, fees, filing officer's duties, modified, licensing department appropriation: *HB 822, CH 186 (1982)

UNIFORMS

Militia, organized, allowance, payment option, adjutant general, authorized: *SB 3847, CH 93 (1982)

UNIONS (See also LABOR AND LABOR RELATIONS)

Health care services, premiums, labor disputes, contract holder payment required: *SB 3795, CH 149 (1982)

UNIVERSITY OF WASHINGTON (See also COLLEGES AND UNIVERSITIES)

Insurance, proprietary coverage, risk management office purchase requirement exemption: HB 933, SB 4564
 Laundry services, private sector contracts allowed, supply management advisory board, arbitration: Sub HB 1216
 Retirement contributions, appropriation: SB 4424
 Toxicological laboratory, transferred, state patrol: SB 4518
 Travel, reduction specified, sec 83 (vetoed): Sub HB 811

UNIVERSITY OF WASHINGTON BOARD OF REGENTS

Gates, Mary, member: GA 528, confirmed 18,659,875

URANIUM

Milling, defined: *SB 3425, CH 78 (1982)

URBAN ARTERIAL BOARD (See also TRANSPORTATION, DEPARTMENT OF)

Chairman, DOT state aid engineer: Sub HB 452
 City councils, members, commissioners, certain, membership qualification: Sub HB 452
 Membership, city council members, commissioners, county executive, council members, commissioners, permitted: *Sub HB 452, CH 209 (1982)

URBAN DEVELOPMENT

Urban lands, state-owned, program, sell, lease, or develop, commissioner, requested, budget shortfall purposes: SCR 111

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) ... Passed during 1981 Second Special Session.
 E1 (1982) ... Passed during 1982 First Special Session.
 E2 (1982) ... Passed during 1982 Second Special Session.

UREA-FORMALDEHYDE

Insulation, foam based, installation, residential structures, prohibited: SB 3310

U.S. POSTAL SERVICE

Mount St. Helens, eruption, commemorative stamp issuance petitioned: *HJM 15 (1982)

UTILITIES (See also PUBLIC UTILITIES AND PUBLIC UTILITY DISTRICTS; PRIVATE UTILITIES)

Cable television systems, UTC regulation authority: SB 4700

Connection charges, system, cities, counties, not prohibited: Sub HB 1014

Electric rate structures, inverted, adoption recommended: SCR 141

Electric rate structures, inverted, required, UTC responsibilities, certain locally regulated utilities exempt: SB 4616

Electric rate structures, inverted, required, UTC responsibilities: SB 4616

Natural gas companies, state-wide operation, public utility tax increased: SB 4585

Telephone systems, joint select committee, establishment, duties, report: *HCR 33 (1982)

Unclaimed property, disposition, time period reduced: *Sub HB 766, CH 1 E2 (1981)

Unclaimed property, uniform act, enacted: Sub HB 1128, SB 4391

Utility local improvement districts, creation, storm water control facility benefits, conditions prescribed: Sub SB 4271

Water heaters, thermostats, temperature setting requirements, owners', residents provisions, warning tag requirement: Sub HB 973, SB 4904

UTILITIES AND TRANSPORTATION COMMISSION

Cable television systems, regulation authority: SB 4700

Commercial zones, certain cities, establishment formula prescribed, establishment, expansion authorized, conditions specified: SB 4504

Common carriers, bills of lading, hazardous materials, red in color or red border, requirement removed: *HB 457, CH 83 (1982)

Electric rate structures, inverted, adoption recommended: SCR 141

Electric rate structures, inverted, required, certain locally regulated utilities exempt: SB 4616

Electric rate structures, inverted, required: SB 4616

Energy conservation and development commission, established, energy office, EFSEC abolished, UTC chairman, nonvoting member: SB 4844

Members, nonpartisan state-wide elected officials provision, election requirements specified: SB 4591

Motor freight carriers, commercial zones, terminal areas established: *SB 4484, CH 71 (1982)

Name change, public service commission: SB 3898

Public service commission, name change from utilities and transportation commission: SB 3898

Railroad crossings, protective devices, funding provisions: *Sub SB 3927, CH 94 (1982)

Railroad trespassers, injury, death, employee liability immunity: *SB 4512, CH 141 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

UTILITIES AND TRANSPORTATION COMMISSION—cont.

- Railroad trespassers, injury, death, owners, employee liability immunity: HB 114
- Transportation tariff docket hearings, administrative hearings office exclusion, administrative law judge referral allowed: *HB 907, CH 189 (1982)
- Trucking industry, partial deregulation, legislative transportation committee, study directed: Sub SCR 107

VACCINATION

- Brucellosis adult vaccinated cattle, retesting requirements: *Sub SB 4046, CH 131 (1982)

VANDIVER, H.M.

- Member, juvenile disposition standards commission, GA 559, confirmed 389,702,883

VENDORS

- Community college education board, payments, state treasurer duties specified: SB 4732, *HB 1036, CH.50 (1982)

VESSELS (See also SHIPS AND BOATS; PILOTS – SHIPS)

- Crab licenses, commercial, Puget Sound licensing district, issuance requirements: HB 842, SB 4464
- Crab licenses, commercial, Puget Sound licensing district, issuance requirements, leased, rented vessels provision: *SB 4464, CH 157 (1982)
- Food fish, shellfish vessels, gear, taking, molesting, unlawful, penalty prescribed: SB 4524, *HB 46, CH 14 (1982)
- Port districts, moorage facilities, rentals, use, regulations adoption authorized, enforcement procedures establishment permitted: SB 4014, Sub SB 4014
- Salmon fishing, commercial, buy-back program extended: HB 841, SB 4465
- Watercraft, excise tax imposed, conditions specified: SB 4688

VETERANS AND VETERANS AFFAIRS DEPARTMENT

- Agent orange, delayed stress syndrome, symptoms, treatment information, distribution, physicians, mental health centers, required: *SB 4619, CH 97 (1982)
- Agent orange, other chemical defoliants, veterans, physicians, hospitals, DSHS, UW medical facilities, attorney general provisions: SB 4687
- License plates, free, disabled veterans, prisoners of war, authorized: Sub SB 3035, SB 4720, *HB 623, CH 115 (1982)
- Loan insurance, references deleted: SB 3017
- Memorial parks, cemeteries, establishment, feasibility study directed, report requirement: HB 836
- Termination, sunset act, date established: SB 4626, *Sub HB 875, CH 223 (1982)

VETERINARIANS

- Regulations revised: SB 3373, *SB 4718, CH 134 (1982)

VETO MESSAGE

- Senate Bill 4831 2498
- Overridden, senate 2513

VETOES (See also APPENDIX)

- Blind commission, appropriation repealed, sec 57 (vetoed): Sub SB 4369

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

VETOES—cont.

- Blind services, DSHS appropriation, sec 49 (vetoed): Sub SB 4369
- Campaign materials, public officials mailing at public expense, restrictions, penalties prescribed, official voter information guides exemption (vetoed): HB 829
- Cherry Point, shoreline, state-wide economic significance designation, commercial uses encouraged, as specified (vetoed): SB 4831
- Deputy directors, state agencies, appropriation limitation, as specified, corrections department, DSHS exemptions, sec 2 (vetoed): Sub HB 811
- Driver's licenses, occupational, regular license revoked under implied consent law, issuance permitted (vetoed): HB 537
- Hiring freeze, imposed, policies, implementation, OFM study directed (vetoed):
2nd Sub HB 124, Sub HB 1226
- Income maintenance caseload levels, specified savings provision, sec 43 (6) (vetoed): Sub SB 4369
- Law revision commission, powers, compensation provisions (vetoed): HB 826
- Minority and women's affairs, governor's office, appropriation, sec 15 (vetoed):
*Sub SB 4369, CH 50 E1 (1982)
- Minority and women's affairs office, appropriation, sec 15 (vetoed): Sub SB 4369
- Model litter control and recycling program, sunset termination date established (vetoed): Sub HB 875, SB 4626
- Property tax, discount, April 30 payment in full, 1982 taxes and thereafter (vetoed): Sub SB 3398
- Salary increases, state, education agencies, upper limit established, sec 15, sec 76 (vetoed): Sub HB 811
- Salmon rearing net pen complex, McNeil Island location (vetoed): Sub HB 1230
- State agencies, remodeling, relocation, air conditioning, etc, expenditure prohibitions, LBC approval requirements, sec 1 (vetoed): Sub HB 811
- Travel, community colleges, colleges, universities, postsecondary education council, state agencies, reduction specified, sec 83-90 (vetoed): Sub HB 811
- Unemployment compensation, disqualification, labor dispute, modified (vetoed):
SB 3944

VIDEO COMMUNICATION (See also TELEVISION AND RADIO)

- Pornography, moral nuisances, defined, enforcement authority: *Sub HB 626, CH 184 (1982)
- X-rated materials, sales tax, 20% of retail sales price, imposed: SB 4598

VISUAL ARTS CENTERS

- Metropolitan municipal corporations, certain, operation authorized: HB 723
- Nonprofit arts organizations, as defined, class L liquor license, established, fee imposed: HB 342

**VOCATIONAL EDUCATION AND VOCATIONAL EDUCATION,
COMMISSION FOR**

- Administration, overall, transferred to commission, duties expanded: SB 4738, Sub SB 4738
- Community college education board, professional vocational education staff, support personnel, transferred: SB 4738, Sub SB 4738

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

**VOCATIONAL EDUCATION AND VOCATIONAL EDUCATION,
COMMISSION FOR—cont.**

- Displaced homemaker program, agency services description, marriage license fee, additional imposed, postsecondary education council appropriation: *HB 286, CH 15 E1 (1982)
- Fire protection board established, members, responsibilities, fire service training duties transferred, board appropriation: SB 3296, Sub SB 3296
- Fire protection board established, members, responsibilities, fire service training duties transferred: 2nd Sub SB 3296
- Fire service training center, bonding authority increased: *Sub HB 1230, CH 48 E1 (1982)
- Functions, federally required, redefined: SB 4725
- High school education completion, foster care, persons 18–20, continuance authorized: SB 4645, *Sub HB 848, CH 118 (1982)
- McKinney, Reverend Samuel B, member: GA 527, confirmed 18,701,874
- Members, SPI, community college education board director removed, new members appointment provisions: SB 4738, Sub SB 4738
- Motorcycle education courses, offering required: Sub SB 3381
- Postsecondary education system, redefined: SB 4738, Sub SB 4738
- SPI, professional vocational education staff, support personnel, transferred: SB 4738, Sub SB 4738
- State plan, adoption required, as specified: SB 4738, Sub SB 4738
- Thorpe, Jon G, member: GA 478, confirmed (1981), 418,863

VOCATIONAL REHABILITATION

- Printing services, total copy systems services, sheltered workshops, day training centers, group training homes, state agencies, use required, higher education exemption: *Sub HB 1024, CH 164 (1982)
- Workers' compensation, provisions modified, rehabilitation review division created, labor and industries department: HB 454, SB 3902
- Workers' compensation, provisions modified, rehabilitation review office, labor & industries department, created, appropriation: *HB 454, CH 63 (1982)
- Workers' compensation vocational rehabilitation reform act, enacted, L&I division of rehabilitation review, responsibilities prescribed: HB 454, SB 3902

VOCATIONAL-TECHNICAL INSTITUTES

- Cost of instruction, approved, SPI notification to institute requirement: Sub SB 3929
- Fees, operating, charged by school districts, actual amount stated in operations appropriation act: Sub SB 3929
- Fees, operating, fulltime students, charges defined, high school diploma students, certain, exemption, costs of instruction, determination development, needy student waiver: Sub SB 3929
- Fees, operating, parttime students, proportionate to fulltime students: Sub SB 3929

VOGNILD, SENATOR LARRY

- Appointed, member, joint select committee on telephone systems 539
- Name removed as sponsor of SJM 105 567

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

VOGNILD, SENATOR LARRY—cont.

- Personal privilege, explanation of "no" vote
on amendment to amendment, ESHB 1102 1988
- Personal privilege, motion to adjourn, explanation of 918
- Personal privilege, regarding ESB 4216 2089
- Personal privilege, speaking to motion to adjourn 61

VOLCANIC ERUPTIONS (See also NATURAL RESOURCES, DEPARTMENT OF)

- Dredge spoil sites, acquisition, DOT appropriation: SB 4510, *Sub SB 4510, CH 7 (1982)
- Forest products recovery act, extension, default, interest provisions, St Helens damaged timber excluded: *Sub SB 4663, CH 222 (1982)
- Milwaukee railroad, right-of-way, acquisition, unexpended funds, use, dredge spoil sites, Cowlitz, Coweeman, Toutle rivers, purchase authority, sec 110: *Sub HB 811, CH 14 E2 (1981)
- Recovery operations, established, select committee appointment required, oversight, report requirements: SB 4510, *Sub SB 4510, CH 7 (1982)
- Recovery operations, SMA, SEPA, ecology, fisheries, game requirements exemption, as specified: SB 4510, *Sub SB 4510, CH 7 (1982)
- Silt, dredge spoils deposit, land acquisition, as specified, moneys distribution, county application, DNR, authority, renewal: SB 4381
- Spirit Lake memorial highway, renamed from SR-504, route description correction: SB 4398, SB 4706
- St. Helens, disaster relief, select committee establishment: *SCR 126 E2 (1981)
- St. Helens, eruption, commemorative stamp issuance petitioned: *HJM 15 (1982)
- Toutle, Cowlitz rivers, accreted land, adjacent landowners, lease authorized, conditions prescribed, ownership claims prohibited: Sub SB 3824
- Toutle, Cowlitz rivers, accreted land, deposits, impact study, report requirements: Sub SB 3824

VOLUNTEERS AND VOLUNTEERING

- Center for voluntary action, act, center, fund, council created, planning and community affairs agency appropriation: SB 4621, Sub SB 4621, *Sub HB 923, CH 11 E1 (1982)
- Inmates, leaves of absence, as defined, authorized, jurisdiction notification requirement: HB 967, SB 4785
- Nursing homes, patients, publicly supported, voluntary contributions, care costs offset, DSHS program development intent: Sub HB 1158
- Salmon enhancement programs, volunteer, non-profit, cooperative, certain, provisions not applicable: Sub SB 3385
- State parks, volunteer work: *SB 4477, CH 156 (1982)
- Volunteer counseling services, offenders, drug-related and violent crimes, development, jail commission, conditions specified: SB 4953

von REICHBAUER, SENATOR PETER

- Remarks, regarding Michael Buckingham 179
- Statement for journal, regarding Eustace "Sonny" Vynne, Jr. 2290

VOTERS AND VOTING (See also ELECTIONS)

- Absentee ballots, hospital patients, certain, application provision: Sub HB 43

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

VOTERS AND VOTING—cont.

- Absentee ballots, use restrictions specified: SB 4845
- ASB program funds, scholarship, charitable purposes, use authorized, funds defined: SJR 137
- Cooperative associations, members voting provisions implemented: Sub SB 3380
- Education board, state, private school member representative, voting authorized: SB 4715
- Initiatives, referendums, petition requirements updated: *Sub HB 663, CH 116 (1982)
- Legislative district, 35th, boundaries clarified: *HB 775, CH 5 E2 (1981)
- Pamphlet, bond measures, information, disclosure required, contents prescribed, printed border requirement: Sub HB 11
- Pamphlet, bond measures, information, disclosure required: Sub HB 11
- Pamphlets, statements, preparation procedures revised: SB 4833
- Political candidates, residence defined, registration purposes: SB 4921
- Port districts, industrial development levies, allowable time period lengthened, voter approval requirement: *Sub SB 4963, CH 3 E1 (1982)
- Property tax, repealed, flat income tax authorized: SJR 138
- Qualifications, previously found unconstitutional, repealed: *SB 4749, CH 99 (1982)
- Reapportionment and redistricting act, enacted: SB 3263, Sub SB 3263
- Redistricting commission, establishment, members, direction, supreme court jurisdiction: Sub SJR 108, SJR 119
- Redistricting commission, independent, establishment authorized, conditions, duties: SJR 136
- Registration, lists, deceased persons over 18, county auditor requirements, registration cancellation purposes: Sub HB 148
- Registration, technical changes: SB 3257, Sub SB 3257
- School community recreation districts, establishment conditions, taxing powers, bond issuance authority, voter approval requirement: SB 4912
- School directors, election, running at large, authorization conditions prescribed, certain large districts excluded, alternative director's districts, provisions: Sub HB 279
- School districts, joint, ESD superintendent, voter approval removed: HB 188, SB 3242
- Schools, bond elections, certain, forty percent validation requirement removed, constitutional contingency: HB 997
- Schools, excess levy elections, forty percent validation requirement removed: HJR 20
- Tribal claims, rights, fish, other natural resources, settlement, acquisition petitioned, memorial, vote of the people directed: HJM 20
- Voting boundary commission act, redistricting, reapportionment standards, powers, duties: *Sub HB 787 CH 2 (1982), SB 4426
- Voting devices, approval authority transferred, secretary of state, from voting machine committee, abolished: *HB 572, CH 40 (1982)

VYNNE, EUSTACE "SONNY", JR.

- Member, state parks and recreation commission, GA 424, confirmed . . . (1981), 545,895,897,898

- * Measures passed by Senate and House. Also Senate Resolutions adopted.
- GA Gubernatorial Appointment.
- SR Senate Floor Resolutions.
- E2 (1981) . . . Passed during 1981 Second Special Session.
- E1 (1982) . . . Passed during 1982 First Special Session.
- E2 (1982) . . . Passed during 1982 Second Special Session.

WAGERS

- Arabian horses, parimutuel betting system, inclusion, race course payments
revised: *SB 4584, CH 132 (1982)
- Exotic races, parimutuel receipts, retention percentage increased, distribution,
breeders award provisions: SB 4708, *Sub SB 4708, CH 32 (1982)
- Jukebox selections, food, beverage establishments, allowed, as specified: HB 1123
- Race meets, gross receipts, commission percentage: SB 4708, *Sub SB 4708, CH
32 (1982)

WALDT, LAWRENCE G.

- Member, gambling commission, GA 495 10

**WALLA WALLA COMMUNITY COLLEGE DISTRICT NO. 20,
BOARD OF TRUSTEES**

- Justice, David, member: *GA 584 (1982)

WARRANTIES

- Livestock, sales, disease free, no implied warranties provision: *SB 4436, CH 199
(1982)

WARRANTS - FISCAL

- Hospital districts, interest-bearing, issuance authorized: *HB 955, CH 84 (1982)

WARRANTS - LEGAL

- Administrative inspections, issuance, execution, uniform procedures established:
SB 4494, Sub SB 4494
- Arrest, escapees, issuance authorized, detention pending extradition authorized:
HB 970, SB 4779
- Defendant, civil actions, not to be found in county, prima facie evidence, not to
be found in state, provision deleted: SB 3715

WASHINES, ANTHONY

- Member, board of trustees, Yakima community college
district 16, GA 565, confirmed 391,735,1007

**WASHINGTON PUBLIC POWER SUPPLY SYSTEM (See also
JOINT OPERATING AGENCIES)**

- Bond authorization elections, major public energy projects, costs, payment
required: *HB 1174, CH 88 (1982)
- Initiative 394, lawsuit against, BPA nonintervention, costs nonpayment directed,
petitioned: SJM 119, Sub SJM 119
- Monitoring, special legislative committee created, duties specified, report: SCR
145
- Nuclear plants, 4, 5, construction moratorium imposed: SCR 108
- Nuclear power plant construction, temporary pause assessment requested: SCR
106

**WASHINGTON STATE PATROL (See also ORGANIZED CRIME
INTELLIGENCE UNIT; ORGANIZED CRIME ADVISORY
BOARD; WASHINGTON STATE PATROL RETIREMENT
SYSTEM)**

- Accidents, motor vehicles, official business, employment driving record, report
requirement: *SB 3233, CH 52 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

WASHINGTON STATE PATROL—cont.

- Chief, organized crime policy board meeting requirements: Sub SB 3120
- Conviction records, release, fees provisions, liability exemption, rules adoption requirement: *Sub SB 4775, CH 202 (1982)
- Conviction records, release, identification section, fees provisions, liability exemption, rules adoption requirement: SB 4775, Sub SB 4775
- Drug trafficking enforcement unit, created, autonomous unit, duties, chief investigator, operation plan requirement, personnel provisions, drug record system, drug assistance unit transferred, appropriation: 2nd Sub HB 603
- Drug trafficking enforcement unit, criminal justice training commission loan, cigarette tax imposed, appropriation: 2nd Sub HB 603
- Employees, organized crime intelligence unit, investigative information divulging, gross misdemeanor: Sub SB 3120
- Equipment commission, vice-chairman, chief's absence, licensing director or transportation secretary, appointment required: SB 4551
- Equipment commission, vice-chairman, chief's absence, licensing director or transportation secretary or designated deputies, appointment required: *SB 4551, CH 106 (1982)
- Motor vehicles, individually-assigned, rules forbidding, adoption prohibited: SB 4865
- Pharmacy board, diversion investigation unit, appropriation: 2nd Sub HB 603
- Riots, penal institutions, assistance, corrections secretary request authorization: SB 4778
- Riots, penal institutions, assistance, corrections secretary request authorization, reimbursement provision: *Sub HB 965, CH 49 (1982)
- Riots, penal institutions, contingency plan development, participation failure, corrections secretary report requirement: *Sub HB 965, CH 49 (1982)
- Salmon harvesters commission, creation, referendum provision, members, powers, duties, inspection, enforcement authority, civil service, budget, accounting exemptions: Sub SB 3204
- Threats, as specified, governor, immediate family, governor-elect, lieutenant governor, successors, class C felony, WSP investigation: *HB 745, CH 185 (1982)
- Threats, governor, governor-elect, lieutenant governor, successors, penalties prescribed, WSP investigation: HB 745
- Toxicological laboratory, transferred from University of Washington: SB 4518

WASHINGTON STATE PATROL RETIREMENT SYSTEM (See also RETIREMENT AND PENSIONS, DEPARTMENT OF RETIREMENT SYSTEMS)

- Contributions, as specified, appropriation: SB 4424
- Early retirement, conditions specified, expiration date provision, OFM study requirements: 2nd Sub HB 124
- Early retirement, conditions specified, expiration date provision: SB 4495
- General revisions: *SB 4640, CH 52 E1 (1982)

WASHINGTON STATE UNIVERSITY

- Retirement contributions, appropriation: SB 4424
- Travel, reduction specified, cooperative extension service program, agriculture research stations exempt, sec 85 (vetoed): Sub HB 811

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

WASHINGTON STATE UNIVERSITY—cont.

- Waste water treatment plant, Pullman/WSU, improvements, appropriation: HB 1078, *Sub HB 1230, CH 48 E1 (1982)
- Wine grape production, industry research, instruction programs, tax imposition, disbursement, termination date established: Sub HB 893

WASHINGTON STATE UNIVERSITY BOARD OF REGENTS

- McEachern, Robert B, member: GA 529, confirmed 19,660,875
- Webster, Kate B, member: GA 530, confirmed 19,660,875

WASTE DISPOSAL (See also POLLUTION CONTROL)

- Referendum 39, bond moneys, new sewer lines, use authorized, high unemployment areas, industrial districts development priorities: SB 4877
- Referendum 39, bond moneys, new sewer lines, use authorized: SB 4877
- Referendum 39, state, local improvements accounts appropriations increased: *Sub HB 1230, CH 48 E1 (1982)
- Truck industry, partial deregulation, legislative transportation committee, study directed: Sub SCR 107

WASTEWATER DISPOSAL

- Treatment plant, WSU/Pullman, improvements, WSU appropriation: HB 1078, *Sub HB 1230, CH 48 E1 (1982)
- Wastewater outfall, operation, south of Duwamish Head, DOE funds expenditure prohibited, sec 65 (vetoed): Sub HB 811
- Wastewater treatment outfall, establishment between Alki Point/Dash Point prohibited, conditions prescribed: SB 4482

WATER AND WATER DISTRICTS (See also SHORELINE MANAGEMENT)

- Annexation, "island" within, procedures prescribed, referendum provision, as specified: *SB 4064, CH 146 (1982)
- Boundaries, powers revisions, mergers, preexisting mergers authorized, bonding authority, double taxation prevention: Sub SB 3534
- Commissioners, merged special purpose districts, office-holding, election, ballot provisions modified: *SB 4905, CH 104 (1982)
- Commissioners, merged special purpose districts, office-holding provisions revised: SB 4905
- Comprehensive plans, county legislative authority responsibilities: SB 4481, *Sub SB 4481, CH 213 (1982)
- Current use valuation, lands with water dependent uses, authorized: SJR 144
- Current use valuation, lands with water dependent uses, designated wetland, shoreland areas, constitutional contingency: SB 4762
- Development charges, prohibition exclusion: Sub HB 312, *SB 4972, CH 49 E1 (1982)
- Facilities, counties, construction, private developers, authority granted: SB 3593
- Federal land and water conservation, apportionments authorization petitioned: SJM 120
- Formation, annexation, consolidation, merger, multicounty, revisions specified: *HB 1145, CH 17 E1 (1982)
- Lake Osoyoos international water control structure, acquisition, operation authorized, ecology department appropriation: SB 4846

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

WATER AND WATER DISTRICTS—cont.

- Lake Osoyoos international water control structure, acquisition, operation authorized, ecology department existing appropriation, as specified: *Sub SB 4846, CH 76 (1982)
- Materials, work, improvements, cost without bid increased: *SB 4905, CH 104 (1982)
- Pollution control, tax credits, phase-out deadline established: SB 4393
- Sewerage system, redefined, sewerage and/or water general plan, comprehensive plan, inclusion: SB 3739, Sub SB 3739
- Short-term obligations, issuance authorized, existing bonds, interest provision: SB 4728, *Sub SB 4728, CH 216 (1982)
- Storm water control facilities, benefits, utility, local improvement districts creation: Sub SB 4271
- Street lighting systems, establishment authorized, resolution, petition in opposition provisions: *SB 4602, CH 105 (1982)
- Supply, facilities, referendum 38, DSHS appropriation: Sub SB 4270
- Supply, PUD's service, governmental, private entities, adequate stream, river flow maintenance, property tax levy, voter proposition, authority: SB 3581
- Utility local improvement districts, creation, storm water control facility benefits, conditions prescribed: Sub SB 4271
- Water supply facilities, DSHS appropriation: *Sub HB 1230, CH 48 E1 (1982)

WATER HEATERS

- Thermostats, temperature setting requirements: Sub HB 973, SB 4904

WATER RIGHTS

- Determination, appeals, costs, state obligation: *Sub HB 449, CH 15 (1982)

WEAPONS (See also GUNS)

- Nuclear, federal government, development, testing, production, freezed petitioned: SJM 122
- Pistol regulations, prescribed, vote of the people required: SB 4923
- School premises, firearms, dangerous weapons prohibited, students under 21, violation, gross misdemeanor, exemptions: *HB 600, CH 47 E1 (1982)
- Schools, premises, firearms, dangerous weapons prohibited, violation, class C felony, exemptions: Sub HB 898, SB 4639

WEBSTER, KATE B.

- Member, board of regents, Washington State University, GA 530, confirmed 19,660,875

WEIGHTS AND MEASURES

- Bread, weight and size standards repealed: Sub HB 900
- Bread, weight and size standards repealed, weight marking sales requirements: Sub HB 900
- Garbage trucks, additional tonnage permit specifications: SB 4907

WEIS, NANCY L.

- Member, board of trustees, Everett community college district 5, GA 533, confirmed 20,531,876

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) ... Passed during 1981 Second Special Session.
 E1 (1982) ... Passed during 1982 First Special Session.
 E2 (1982) ... Passed during 1982 Second Special Session.

WELLS (See also WATER WELLS)

Oil and gas conservation committee, powers, duties revised, oil and gas definitions, regulations revised: SB 4944

Oil and gas conservation committee, powers, duties revised, oil and gas definitions, regulations revised, severance tax imposed, revolving account created: Sub SB 4944

WENATCHEE COMMUNITY COLLEGE DISTRICT NO. 15, BOARD OF TRUSTEES

Henrie, Mary, member: GA 540, confirmed 22,447,868

Prince, Robert W, member: GA 541, confirmed 22,735,1006

WESTERN WASHINGTON UNIVERSITY

Retirement contributions, appropriation: SB 4424

Travel, reduction specified, sec 89 (vetoed): Sub HB 811

WETLANDS

Classification, changing circumstances, revisions, high water mark changes, in accordance, local government or DOE permits: *SB 3916, CH 13 E1 (1982)

Current use valuation, lands with water dependent uses, authorized: SJR 144

Current use valuation, lands with water dependent uses, designated wetland, shoreland areas, constitutional contingency: SB 4762

WEZA, A. TONY

Member, public disclosure commission, GA 581 1003

WHATCOM COMMUNITY COLLEGE DISTRICT NO. 12, BOARD OF TRUSTEES

Kenner, Paul D, member: GA 568, confirmed 391,532,886

Stimpson, Catharine C, member: GA 477, confirmed (1981), 417,863

WHEAT QUEEN

Washington state, Donna Cook, guests introduced 1000

WHEELCHAIRS

Fishing licenses, free, persons confined to wheelchairs: SB 4751

Vehicles, ride-sharing, persons in wheelchairs, as specified, MVET exempt: *Sub SB 4545, CH 142 (1982)

WHISTLE BLOWERS

Improper governmental actions, disclosure, public employees, reprisal prohibited, employee responsibilities, state auditor duties: *Sub HB 593, CH 208 (1982)

WHOLESALE AND DISTRIBUTORS

Alcoholic beverage business: *Sub HB 1063, CH 85 (1982), SB 4546, Sub SB 4546, SB 4735

Cigarette, license fees increased, suspension periods lengthened, appropriation: *HB 1092, CH 16 E1 (1982)

Draft beer dispensing equipment, advertising, installation, class G, J licensees, provisions: *Sub HB 1063, CH 85 (1982), SB 4763

Motor fuel, gas tax, selling price, omission permitted: *HB 854, CH 6 E1 (1982)

Wine, beer, licensees, instruction, permitted: SB 4526

Wine, beer, licensees, instruction, permitted, viticulture, enology study groups provisions: *SB 4748, CH 26 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) ... Passed during 1981 Second Special Session.

E1 (1982) ... Passed during 1982 First Special Session.

E2 (1982) ... Passed during 1982 Second Special Session.

WHOLESALE AND DISTRIBUTORS—cont.

- Wine instruction, licensees, wineries, wholesalers, permitted, viticulture, enology study groups, tax payment provision: Sub SB 4526
- Wine licenses, J, wine dispensing equipment, advertising, manufacturer, wholesaler, importer, installation, service acceptance authorized: Sub SB 4755
- Wine service, class G, J licensees, tasting exhibitions, judging events, provisions: SB 4763, *Sub HB 1063, CH 85 (1982)
- Wineries, domestic, manufacture, retail, wholesale, export sales allowed: SB 4747
- Wineries, domestic, wholesale, retail class J licenses provision, compliance requirement: Sub SB 4747
- Wineries, domestic, wholesale, retail class J licenses provision: *Sub HB 1063, CH 85 (1982)

WILDLIFE

- Agents, law enforcement authority, provisions: Sub SB 3258
- Big game, endangered species, subsequent game law violations, felony prosecution, penalty provisions, property disposal: *Sub HB 834, CH 31 (1982)
- Businesses, handling, selling wildlife, inspection provisions: *SB 4466, CH 152 (1982)
- Check stations, game commission, department, establishment prohibited: SB 4459
- Check stations, game department, operation authorized, conditions specified: SB 4550, *Sub SB 4550, CH 155 (1982)
- Hunting, interference with, prohibited, penalties prescribed, permitted civil actions: SB 4727
- Mountain goats, sheep, game license fees increased, payment requirements: SB 4726
- Trespass, agents, law enforcement authority: SB 4753

WILLIAMS, MARGARET S.

- Member, state parks and recreation commission, GA 505, confirmed . 12,403,869

WILLS

- Estates, probate, informal, authorized, conditions specified: SB 4722
- Validity, determinatin, prior to death of testator, authorized: SB 4710

WILSON, SENATOR BRUCE A.

- Ceremony on retirement 1765-1775,1777
- Personal privilege, regards nomination, hall of fame
for retired legislators, suggested by Senator Guess 2225

WINE AND WINERIES (See also LIQUOR AND LIQUOR CONTROL BOARD)

- Alcohol amount, volume definition: *Sub HB 571, CH 39 (1982)
- Culinary, restaurant courses, alcoholic beverage use prescribed: *Sub HB 1063, CH 85 (1982)
- Domestic, manufacture, retail, wholesale, export sales allowed: SB 4747
- Domestic, wholesale, retail, class J license provision, compliance requirement: Sub SB 4747
- Domestic, wholesale, retail, class J license provision: *Sub HB 1063, CH 85 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.
 GA Gubernatorial Appointment.
 SR Senate Floor Resolutions.
 E2 (1981) . . . Passed during 1981 Second Special Session.
 E1 (1982) . . . Passed during 1982 First Special Session.
 E2 (1982) . . . Passed during 1982 Second Special Session.

WINE AND WINERIES—cont.

- Grape production, industry research, instruction programs, WSU: Sub HB 893, Sub SB 3408
- Hospitals, nursing homes, wine, beer by the glass, patients, family members, visitors, offering allowed: *Sub HB 1063, CH 85 (1982)
- Instruction, licensees, permitted: SB 4526
- Instruction, licensees, permitted, viticulture, enology study groups provisions: *SB 4748, CH 26 E1 (1982)
- Instruction, licensees, viticulture, enology study groups, tax payment provisions: Sub SB 4526
- Licenses, class J, unopened wine bottle sales permitted, limitations, nonprofit organization restriction removed: *Sub HB 1063, CH 85 (1982)
- Licenses, class J, wine dispensing equipment, advertising, manufacturer, wholesaler, importer, installation, service acceptance authorized: Sub SB 4755
- Licenses, class J, wine service, tasting exhibitions, judging events, manufacturers, wholesalers, importers, provisions: SB 4763, *Sub HB 1063, CH 85 (1982)
- Orders, delivery as specified, class P license created, delivery prohibitions: *Sub HB 1063, CH 85 (1982)
- Research, portion of liquor tax imposed, termination date established: Sub HB 893
- Sales, state liquor stores, authority removal, LBC fiscal impact study directed, appropriation: Sub HB 1039
- Sales, state liquor stores, authority removed, effective, as specified, LBC fiscal impact study directed, appropriation: Sub HB 1039
- Sales, surtax imposed: Sub SB 4368, *SB 4250, CH 35 E1 (1982)
- Wholesalers, tax changed: Sub SB 3408

WINTER RECREATION ACTIVITIES

- Parks and recreation commission, authority, parking permits, revised, parking account redesignated program account, advisory committee created: HB 386
- Parks and recreation commission, authority, parking permits, revised, parking account redesignated program account, appropriation, advisory committee created: *SB 3737, CH 11 (1982)
- Programs, public agency development permitted, parks and recreation commission grants authority: HB 386, *SB 3737, CH 11 (1982)
- Winter recreation commission, established, members; duties, economic development purpose, termination date: *Sub SB 4841, CH 27 E1 (1982)

WITNESSES

- Civil actions, prevailing parties, expense award provision: SB 3112
- Spouse, disqualification, criminal actions, not applicable, marriage occurring after charges filed: *SB 4474, CH 56 (1982)
- Tampering, criminal prohibitions expanded: *HB 600, CH 47 E1 (1982)

WOJAHN, SENATOR R. LORRAINE

- Remarks, regarding death of L. H. Bates 647-648

WOMEN

- Abortion, fetus born alive during abortion procedure, immediate medical attention required: SB 3370

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

WOMEN—cont.

- Abortion, induced premature birth, medical care services prohibited, exemptions specified: 2nd Sub HB 756
- Abortion, informed consent requirement: Sub HB 226
- Rape crisis centers, records, defense attorney availability, conditions prescribed: Sub SB 3958
- Sexual assault victims, counselors, communications, crime prosecution, not admissible, conditions prescribed: SB 3958

WOOD AND WOOD PRODUCTS (See also FORESTS AND FOREST PRODUCTS)

- Domestic, public works projects, purchase required: SB 4823
- Lumber shipments, west coast to east, gulf coasts, foreign bottoms, authorization petitioned, HR 3577 passage: SJM 130

WOODY, SENATOR DIANNE

- Presiding ceremony honoring Senator Wilson on his retirement from senate 1765-1775

WORK (See also UNEMPLOYMENT COMPENSATION BENEFITS)

- AFDC recipients, able, as defined, community work experience projects, participation required: SB 4699
- B&O tax credit, businesses locating in high unemployment areas, as defined: SB 4870
- Community economic revitalization board, created: SB 4622, *2nd Sub HB 906, CH 40 E1 (1982)
- Cooperative economic development act: SB 4990
- Enterprise zone act, passage petitioned: HJM 22
- Export assistance centers, establishment provisions, nonprofit corporation formation, commerce and economic department rules adoption, appropriation: Sub HB 1141
- High unemployment areas, businesses, as specified, industrial insurance tax credit: SB 4871
- Job service program, reemployment provisions, employment security department appropriation: SB 4946
- Neighborhood assistance act: SB 4915
- Prisons, work programs, more physical, DSHS, immediate development, implementation directed: SCR 104
- Small business equity corporation act: SB 4876
- Small business investment act: SB 4874

WORKERS' COMPENSATION - INDUSTRIAL INSURANCE AND SAFETY (See also INDUSTRIAL INSURANCE APPEALS, BOARD OF)

- Acting in the course of employment, travel time, definition exclusion: SB 3755
- Advisory committee, industrial insurance appeals board chairman, membership specified: SB 4947
- Amputees, motor vehicle provision: *HB 454, CH 63 (1982), SB 4649
- Appeals, de novo jury trials, superior court, provision deleted, oral arguments, written brief requirement: SB 4767

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

SR Senate Floor Resolutions.

E2 (1981) . . . Passed during 1981 Second Special Session.

E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

WORKERS' COMPENSATION - INDUSTRIAL INSURANCE AND SAFETY—cont.

- Appeals procedures revised, hearing examiners, renamed industrial appeals judges: SB 4682, *SB 4947, CH 109 (1982)
- Appeals, transcripts, evidentiary rules, members' experience, knowledge, decision reversal provisions: SB 4767
- Attorneys' fees, L&I, self-insurers, application copy entitlement, proceedings participation provisions: SB 4649, *HB 454, CH 63 (1982)
- Benefits, adjustments, reflect changes average monthly wages: *SB 4133, CH 20 E1 (1982)
- Benefits, as specified, increased: SB 4649
- Benefits, direct deposit, financial institutions, authorized: *SB 4947, CH 109 (1982)
- Catastrophic injuries, housing provision: SB 4649, *HB 454, CH 63 (1982)
- Common carriers, under certain conditions, exemption allowed: SB 4649, *HB 454, CH 63 (1982)
- Contingency reserve fund, surplus, premium increases reduction, use directed: SB 4940
- Coverage, mandatory, exclusions revised: SB 4649
- Disability, total, permanent, temporary, compensation reduction determination, age limit raised: SB 4649, *HB 454, CH 63 (1982)
- Employers, compensation payment failure, as specified, penalties imposed: SB 4649, *HB 454, CH 63 (1982)
- ESD's school districts, self-insurers, authorized: SB 3757, SB 4648, Sub SB 4648
- General revisions: SB 4649
- General revisions, vocational rehabilitation provisions modified, rehabilitation review office created, appropriation: *HB 454, CH 63 (1982)
- High unemployment areas, businesses, as specified, temporary tax exemption: SB 4871
- Industrial welfare committee, abolished, duties transferred, labor and industries department: HB 1058, SB 4579, SB 4633, *Sub HB 762, CH 163 (1982)
- Job modification costs, payment authorized: SB 4649, *HB 454, CH 63 (1982)
- Job placement services, private, public, use allowed: SB 4649
- Juveniles, offenses, monetary penalties, county cumulative reserve fund deposit, insurance, industrial insurance purchase: SB 4733
- Paralyzed persons, motor vehicle provision SB 4649, *HB 454, CH 63 (1982)
- Payments, persons receiving disability allowance from employer, denied: SB 3496
- Private insurers, coverage permitted, joint committee on workers' compensation, composition, recommendations, requirements: SB 4773
- Rehabilitation expenses, coverage expanded: *HB 454, CH 63 (1982), SB 4649
- Self-insurers, claim denial, notice requirements: *SB 4133, CH 20 E1 (1982)
- Self-insurers, educational service district, school districts, authorized: SB 3757, SB 4648, Sub SB 4648
- Three-way, permitted, joint committee on workers' compensation recommendation requirements: SB 4773
- Truck owner-operators, not considered worker, coverage purposes: *SB 4558, CH 80 (1982)
- Violations, persons reporting, retaliation prohibited, conditions specified: SB 4514

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GA Gubernatorial Appointment.

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E2 (1982) . . . Passed during 1982 Second Special Session.

WORKERS' COMPENSATION - INDUSTRIAL INSURANCE AND SAFETY—cont.

Workers' compensation joint select committee, composition, recommendations for private insurers, duties specified: SB 4773

Workers' compensation vocational rehabilitation reform act, enacted, L&I division of rehabilitation review, responsibilities prescribed: HB 454, SB 3902

WORK RELEASE

Facilities, location, zoning laws applicability: *Sub HB 1230, CH 48 E1 (1982)

WORKSHOPS

Educational services registration act, seminars, workshops, exempted, as specified: Sub SB 4061

YAKIMA COMMUNITY COLLEGE DISTRICT NO. 16, BOARD OF TRUSTEES

Washines, Anthony, member: GA 565, confirmed 391,735,1007

YATES, H. ROY

Member, board of trustees, Everett community college district 5, GA 534, confirmed 20,609,867

YOUTH (See also MINORS; CHILDREN)

Alcoholism, drug abuse programs, counties, provisions modified: SB 4643, *HB 410, CH 193 (1982)

Children and families division, DSHS, plans development, legislative submission schedule prescribed, services consolidation purposes: SB 4851

Hiking trails, ORV moneys, construction, facilities, authorized, youth development corps, youth crews, contract consideration required: SB 3823

YOUTH SERVICES CORPS

Enrollees, age requirement revised: SB 3389

Established, employment security department, conditions specified, appropriation: SB 4595

Funds, federal matching, authorized: SB 3389

Hiking trails, ORV moneys, construction, facilities, authorized, youth development corps, youth crews, contract consideration required: SB 3823

Youth development, conservation corps, members compensation, increases authorized: HB 273

Youth development, conservation corps, members compensation, increases authorized, parks, recreation commission, appropriation: SB 4313

Youth development, conservation corps, members compensation, increases authorized: *SB 4313, CH 70 (1982)

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Statement for journal, explanation failure to vote on SHB 15, record voting in favor 1290

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* Measures passed by Senate and House. Also Senate Resolutions adopted.

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E1 (1982) . . . Passed during 1982 First Special Session.

E2 (1982) . . . Passed during 1982 Second Special Session.

**ZONING (See also ENVIRONMENTAL IMPACT STATEMENTS;
PLANS, PLANNING, PLANNING COMMISSIONS; SUBDI-
VISIONS)**

Airports, near subdivisions, DOT secretary notification required: *HB 330, CH 23 (1982)

Cherry Point, shoreline, state-wide economic significance designation, commercial uses encouraged, as specified (vetoed): SB 4831

Hearings, notice requirements revised: Sub HB 1007, SB 4776, Sub SB 4776

Manufactured housing advisory task force, planning and community affairs agency, establishment directed, members, report, assistance, appropriation: Sub SB 3308

Manufactured housing sites, adequate, cities, towns, policy declared: Sub SB 3308

Residential construction, state highway lands, encouraged, variances needed: SB 4568

Short plats, five-year restrictions, port districts, sold land, exemption: SB 4746

Work release facilities, location, zoning laws applicability: *Sub HB 1230, CH 48 E1 (1982)

* Measures passed by Senate and House. Also Senate Resolutions adopted.

GA Gubernatorial Appointment.

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